

Exhibit Y

GAYLE WILLIAMS - 04/05/2018

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF NEW JERSEY
3

4 KIMBERLEE WILLIAMS,) CASE NO. 2:11-CV-01754
5 et al.,) (JLL)(JAD)
5)
6 Plaintiffs,)
6)
7 versus)
7) DEPOSITION OF
8 BASF CATALYSTS, LLC,)
8 et al.,) GAYLE WILLIAMS
8)
9 Defendants.)

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12 Deposition of GAYLE WILLIAMS, a Plaintiff herein,
13 called by the Defendants for Cross-Examination pursuant
14 to the Federal Rules of Civil Procedure, taken before
15 me, the undersigned, Anika W. Patrick, a Registered
16 Merit Reporter, Certified Realtime Reporter and Notary
17 Public in and for the State of Ohio, at the offices of
18 Thompson Hine, LLP, 3900 Key Center, 127 Public Square,
19 Cleveland, Ohio, on Thursday, April 5, 2018, at
20 9:00 a.m.

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GAYLE WILLIAMS - 04/05/2018

Pages 2 . . . 5

Page 2	Page 4
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GAYLE WILLIAMS - 04/05/2018

Pages 6 . . . 9

Page 6	Page 8
<p>1 Q. – before you answer it. Okay?</p> <p>2 A. Yes.</p> <p>3 Q. The lawsuit that you're here for today, do you</p> <p>4 have any understanding of the facts? In other</p> <p>5 words, were you involved in the underlying cases</p> <p>6 with your parents?</p> <p>7 A. As far as, like, being in meetings?</p> <p>8 Q. Yeah.</p> <p>9 A. No.</p> <p>10 Q. Okay.</p> <p>11 A. I read – since my sister – my sister was the</p> <p>12 point person, and since she can no longer do it,</p> <p>13 since then I have read things, but –</p> <p>14 Q. When you say "since then," what time are you</p> <p>15 talking about?</p> <p>16 A. I think it was a year ago Thanksgiving that my</p> <p>17 brother-in-law, my other sister asked if I would</p> <p>18 take over as the point person for the family. So</p> <p>19 it was sometime after that.</p> <p>20 Q. So late 2016, early 2017?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. So prior to late 2016 –</p> <p>23 A. Uh-huh.</p> <p>24 Q. – did you have any personal knowledge of the</p> <p>25 events in the 1990s and 2000s regarding the</p>	<p>1 Mr. Bevan?</p> <p>2 A. No. I never had a conversation with Mr. Bevan.</p> <p>3 Q. Okay. You met Mr. Bevan yesterday?</p> <p>4 A. Yes.</p> <p>5 Q. Could you tell me about that?</p> <p>6 A. I had a meeting there to meet Harry and Jared, and</p> <p>7 Mr. Bevan came and introduced himself to me. But</p> <p>8 I had never met him before.</p> <p>9 Q. Had you met Mr. Roth and Mr. Placitella before</p> <p>10 that?</p> <p>11 A. In person?</p> <p>12 Q. Yes.</p> <p>13 A. No.</p> <p>14 Q. Okay. Had you met any of the Plaintiffs' lawyers</p> <p>15 in person?</p> <p>16 A. No.</p> <p>17 Q. Okay. Had you talked to them on the phone?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And when is the first time you talked to a</p> <p>20 Plaintiffs' lawyer in this case, Mr. Roth or</p> <p>21 Mr. Placitella or a gentleman named Mr. Coren?</p> <p>22 When is the first time you talked to them?</p> <p>23 A. Well, it would have been after that Thanksgiving.</p> <p>24 I think it was after the first of the year, so</p> <p>25 early 2017?</p>
Page 7	Page 9
<p>1 litigation against Engelhard? Or did you –</p> <p>2 A. Just from what I've heard from my sister and</p> <p>3 brother-in-law, yes.</p> <p>4 Q. Okay. Just from what you've heard from your</p> <p>5 sister and brother-in-law?</p> <p>6 A. Right.</p> <p>7 Q. Okay. You –</p> <p>8 A. I didn't see any documents or anything like that.</p> <p>9 Q. And you weren't – withdrawn.</p> <p>10 Do you know Mr. Bevan?</p> <p>11 A. I met Mr. Bevan for the first time yesterday.</p> <p>12 Q. Okay.</p> <p>13 A. But I had never met or spoke to Mr. Bevan before</p> <p>14 that.</p> <p>15 Q. Okay. So your knowledge of this lawsuit and the</p> <p>16 facts in this lawsuit all come from reading things</p> <p>17 over the last year. Fair?</p> <p>18 MR. ROTH: Objection. Form. You can</p> <p>19 answer.</p> <p>20 A. It comes from reading things. I've had</p> <p>21 conversations with my attorneys and talking to my</p> <p>22 brother-in-law.</p> <p>23 Q. Okay.</p> <p>24 A. So that's where my facts have come from.</p> <p>25 Q. Okay. And what about from conversations with</p>	<p>1 Q. Okay.</p> <p>2 MR. ROTH: When you end with a question</p> <p>3 mark, we all understand that you're giving an</p> <p>4 approximation.</p> <p>5 THE WITNESS: Okay.</p> <p>6 MR. ROTH: But for the court reporter</p> <p>7 you've just got to say –</p> <p>8 A. Sometime earlier in 2017.</p> <p>9 MR. ROTH: It's a difference between a</p> <p>10 transcript, a deposition and a real</p> <p>11 conversation.</p> <p>12 THE WITNESS: Uh-huh.</p> <p>13 Q. And what –</p> <p>14 THE WITNESS: Bless you.</p> <p>15 MR. ROTH: That doesn't happen much,</p> <p>16 either.</p> <p>17 Q. And best you can, can you tell me what your</p> <p>18 brother or sister-in-law said to you regarding you</p> <p>19 getting involved in the case?</p> <p>20 MR. ROTH: Objection to the form.</p> <p>21 A. Okay. It's my sister and brother-in-law.</p> <p>22 Q. Sorry.</p> <p>23 A. That's okay. I know Gary and my sister Nancy,</p> <p>24 Nancy was the point person and she passed away,</p> <p>25 but in November when they asked me, he had gone to</p>

GAYLE WILLIAMS - 04/05/2018

Pages 10..13

Page 10	Page 12
<p>1 my sister Karen, who is next oldest from Nancy --</p> <p>2 Q. Right.</p> <p>3 A. -- and asked her if she wanted to take over and</p> <p>4 said no, and she said that I would be a better</p> <p>5 candidate. And I'm the next oldest, so I think we</p> <p>6 just went down. So that's -- so Gary came to me,</p> <p>7 my brother-in-law, and said, "I talked to Karen,</p> <p>8 Karen thinks we should ask you. Are you willing</p> <p>9 to take over?" And I said yes.</p> <p>10 Q. And what is your understanding of what your role</p> <p>11 is in this case?</p> <p>12 A. As far as the whole overlying case?</p> <p>13 Q. Yes.</p> <p>14 A. Or just from my family's role?</p> <p>15 Q. Let's do -- let's break that apart.</p> <p>16 A. Okay.</p> <p>17 Q. So what do you think your role is as a class</p> <p>18 representative?</p> <p>19 A. Well, to answer any questions you ask me to the</p> <p>20 best of my ability and honestly, and represent the</p> <p>21 class for the betterment of the class and not take</p> <p>22 my personal interests into it. Do what's best for</p> <p>23 everyone, not just myself.</p> <p>24 Q. And what's your understanding of what input, if</p> <p>25 any, you have on how the litigation's conducted?</p>	<p>1 Q. Do you know whether there were settlement</p> <p>2 discussions in this case?</p> <p>3 A. In --</p> <p>4 MR. ROTH: Objection.</p> <p>5 Q. The class action.</p> <p>6 A. Oh. Was there a settlement offered?</p> <p>7 Q. Was there settlement discussions?</p> <p>8 A. I don't know.</p> <p>9 Q. Okay. As a class representative, do you view your</p> <p>10 role as being entitled to know whether there are</p> <p>11 settlement discussions taking place? Or is that a</p> <p>12 lawyer thing?</p> <p>13 A. I would -- well, I would think if there's</p> <p>14 settlement discussions -- I'm not sure because of</p> <p>15 the class action. I'm thinking if I was just me</p> <p>16 in a suit, then definitely I would need to know if</p> <p>17 there was a settlement. But I think if I'm</p> <p>18 representing the class, one of the representatives</p> <p>19 representing the class as a whole and there's a</p> <p>20 settlement discussion, I guess yes.</p> <p>21 Q. And so if, taking your last example, in your case,</p> <p>22 your personal case --</p> <p>23 A. If it was just me, uh-huh.</p> <p>24 Q. Yeah, if it was just you and there was a defendant</p> <p>25 who had, for example, put money on the table, said</p>
Page 11	Page 13
<p>1 Strategic decisions about trial and whether to</p> <p>2 settle, things like that?</p> <p>3 A. Can you ask me that again? I'm sorry.</p> <p>4 Q. Sure. What role do you think you have in terms</p> <p>5 of, for example, a decision to settle the class</p> <p>6 action?</p> <p>7 A. I think my role is to listen to all the input and</p> <p>8 relying on my lawyers, because I'm no specialist</p> <p>9 or anything, and just rely on their expert</p> <p>10 knowledge of, you know, how to proceed or, you</p> <p>11 know, whether the settlement is fair, not fair or</p> <p>12 reasonable or not reasonable. I mean, I would not</p> <p>13 have any idea what would be a</p> <p>14 reasonable -- because I've never been in anything</p> <p>15 like this or -- so I guess that's my role, is to</p> <p>16 pay attention, listen, answer the best as I can</p> <p>17 and rely on my counsel to help me make those</p> <p>18 decisions and then go from there.</p> <p>19 Q. Okay. Do you know if a mediation had been</p> <p>20 conducted in this case?</p> <p>21 MR. ROTH: Objection. Privilege. You</p> <p>22 can answer under -- excuse me, under 502(d).</p> <p>23 Is that an agreement?</p> <p>24 MR. ASSAF: Sure.</p> <p>25 A. No, I don't know if there was a mediation.</p>	<p>1 we will pay you --</p> <p>2 A. Right.</p> <p>3 Q. -- \$10,000, do you think as a client you should</p> <p>4 hear about that offer?</p> <p>5 MR. ROTH: Objection. Form, foundation.</p> <p>6 You may answer.</p> <p>7 A. Yes.</p> <p>8 Q. And similarly in a class action --</p> <p>9 A. Uh-huh.</p> <p>10 Q. -- if somebody put money on the table, say</p> <p>11 \$100,000 --</p> <p>12 A. Uh-huh.</p> <p>13 Q. -- do you think as a class representative you</p> <p>14 should hear that that was, in fact, put on the</p> <p>15 table?</p> <p>16 MR. ROTH: Objection. Form, foundation.</p> <p>17 A. I think I would say yes.</p> <p>18 Q. I think you would be right.</p> <p>19 A. Okay.</p> <p>20 Q. So --</p> <p>21 MR. ROTH: Move to strike.</p> <p>22 Q. So -- and as a class representative, what have you</p> <p>23 done to prepare yourself for this lawsuit and for</p> <p>24 acting as a class representative?</p> <p>25 A. Over the course of the last -- since we started in</p>

GAYLE WILLIAMS - 04/05/2018

Pages 14..17

Page 14	Page 16
<p>1 early – I have read any documentation that I've 2 been sent regarding the case. 3 Q. And do you have that documentation? 4 A. With me? 5 Q. Yes. 6 A. No. 7 Q. Okay. Do you have it at home? 8 A. Well, I have some in an e-mail on my phone. 9 Q. Okay. 10 A. But as far as a printed out, I do have it at home, 11 yes. 12 Q. Okay. By the way, and I apologize again, it's 13 your – 14 A. Brother-in-law. 15 Q. Brother-in-law and sister? 16 A. My brother-in-law. 17 Q. Your brother-in-law? 18 A. Yes. My brother-in-law Gary was married to my 19 sister Nancy who passed away. 20 Q. Got it. 21 A. Then I have a sister Karen. When I refer to 22 my – so I've referred to my sister twice and 23 there's two sisters. If I'm confusing you, I 24 apologize. 25 Q. And the one sister was Ms. Nancy Pease; is that </p>	<p>1 Q. Do you know how she communicated with Mr. Bevan, 2 if at all? 3 A. Well, I know she had met with Mr. Bevan. I would 4 just be guessing to say by phone, but – 5 Q. Okay. Do you know whether she had any documents 6 related to either the class action lawsuit or your 7 father's lawsuit, you know, that was handled by 8 Mr. Bevan? 9 A. I mean, I didn't see her have any documents. 10 Q. Okay. And do you know a woman named Ms. Erin 11 Clark who works with Mr. Bevan? 12 A. Yes. I met her yesterday also. 13 Q. Okay. In the same meeting with Mr. Bevan? 14 MR. ROTH: Objection to form. 15 A. Well, it wasn't really a meeting with Mr. Bevan. 16 When I got there, she's the one who came out to 17 the lobby to introduce herself to me, and so I 18 just talked briefly with her. 19 Q. Okay. What did she say to you? 20 A. Well, she had paperwork for me that she wanted to 21 know if I wanted a copy of that made me executor 22 or executrix of my parents, all the other stuff 23 that goes on with my parents. 24 Q. The other lawsuits and litigation? 25 A. Whatever, yes. </p>
Page 15	Page 17
<p>1 right? 2 A. Yes. Yes. 3 Q. And the other sister's name, did you say Kathy? 4 A. Karen. 5 Q. Karen, okay. Did Nancy – withdrawn. 6 You mentioned that you have things by 7 e-mail. Is that how you've communicated with your 8 lawyers? 9 A. Most – yes. 10 Q. Mostly? 11 A. Yes. 12 Q. Okay. And you keep those e-mails? 13 A. Yes. 14 Q. Have you communicated with Mr. Bevan by e-mail? 15 A. No. 16 Q. Okay. Do you know whether your sister Nancy, 17 Ms. Nancy Pease – 18 A. Uh-huh. 19 Q. – had e-mail? 20 A. From anybody? 21 Q. Yeah. Well, yeah, just an e-mail account. 22 A. No, she did not. 23 Q. Okay. Do you know how she communicated with the 24 lawyers? 25 A. No. </p>	<p>1 Q. Okay. So do you have an attorney-client 2 relationship with Mr. Bevan and his firm for other 3 litigation matters? 4 A. Yes. 5 MR. ROTH: Objection to form and 6 foundation. 7 A. I would say yes. 8 Q. Okay. Do you have any understanding with 9 Mr. Bevan regarding whether he will be compensated 10 for this lawsuit, the class action? 11 A. I have no idea. 12 Q. Have you ever discussed it with him? 13 A. No. 14 Q. Do you know what – 15 A. I've never had a discussion with Mr. Bevan about 16 any of these cases. 17 Q. Okay. Do you have a signed retainer agreement 18 with Mr. Bevan's law firm? 19 A. I do not. 20 Q. Okay. Does the estate? 21 A. I would think so. 22 Q. Okay. 23 A. I don't -- 24 Q. All right. 25 A. I don't know. </p>

GAYLE WILLIAMS - 04/05/2018

Pages 18..21

Page 18	Page 20
<p>1 Q. With respect to Mr. Bevan or Ms. Clark, did they 2 tell you anything about the class action and - 3 A. No. 4 Q. No? Okay. Did you have any discussions with your 5 sister, Ms. Nancy Pease, regarding the class 6 action that you're now a class representative for? 7 A. Not with Nancy. 8 Q. Okay. With whom? 9 A. Gary. 10 Q. With Gary? 11 A. Right. 12 Q. Your brother-in-law? 13 A. Yes. 14 Q. Okay. These are discussions regarding we need 15 somebody to take Nancy's place? 16 A. Yes. 17 Q. And were there any discussions of the underlying 18 facts of the lawsuit? 19 A. Early on, and I couldn't tell you when, he did 20 tell me, my sister, my brother about the case, 21 that there was a class action that he and Nancy 22 were our spokespersons for, and he kind of gave us 23 a little background of what was going on. But 24 that was several years ago. 25 Q. And did he tell you how he learned about the case?</p>	<p>1 Mr. Roth or - 2 A. I have no idea who contacted him about it. 3 Q. Or he learned it from somebody else? 4 A. Right. 5 Q. And does your brother-in-law Gary, as far as you 6 know, keep documents related to all of these 7 litigation matters that he's been involved in? 8 A. I - I don't know what he's kept or not kept. 9 Q. Okay. As the point person, did - when he was the 10 point person - 11 A. Uh-huh. 12 Q. - did you expect him to keep his documents 13 related to the settlements and the lawsuits? 14 MR. ROTH: Objection. Form, foundation. 15 A. I honestly had no expectations of him doing 16 anything. 17 Q. Okay. 18 MR. ROTH: There are people on the phone. 19 THE WITNESS: Uh-huh. 20 MR. ROTH: Okay. 21 Q. Let me show you, this is the second amended 22 complaint in this case. 23 A. Uh-huh. 24 Q. Have you seen this before? 25 A. I have seen this, yes.</p>
<p>1 A. No. If he did, I don't remember. 2 Q. Okay. Did he tell you anything about compensation 3 in the case? 4 A. No. 5 Q. Did he tell you anything about the original 6 lawsuit that your father had against Engelhard? 7 A. The only thing that I knew was when he told us 8 that there was a company that we either settled 9 with or dismissed because they said there was no 10 asbestos in their talc and came to - it came to 11 find out that there was and now there was a new 12 suit. That's the gist of what he told us. 13 Q. Did he tell you how he learned that? 14 A. No. 15 Q. Do you - was he involved in the underlying 16 lawsuit against Engelhard regarding talc? 17 A. You mean the very original one? 18 Q. Yeah. 19 A. He and my sister have always been the point person 20 from the very beginning when my dad first got 21 sick, or when these things first started. So 22 I - I don't know what he knew, when he knew it or 23 how he knew it. 24 Q. All right. Okay. So you don't know whether he 25 heard that from Mr. Bevan or he heard that from</p>	<p>1 Q. Have you reviewed it? 2 A. I have reviewed some of it. 3 Q. Not all of it? 4 A. No. 5 Q. Okay. When did you review it? 6 A. I reviewed it, let's see, earlier this week. 7 Q. Okay. Is that the first time you reviewed it? 8 A. Yes. I've gotten a lot of things that I've looked 9 at and sometimes they - but this, yes. 10 Q. Okay. First time you reviewed the complaint in 11 this case was last week? 12 A. Earlier this week. 13 Q. Earlier this week, sorry. 14 A. Uh-huh. 15 Q. First time you reviewed the complaint in this case 16 was earlier this week, the week of - 17 A. April 1st. 18 Q. April 1st? 19 A. Yes. 20 Q. 2018? 21 A. Yes. 22 Q. Could you turn your attention to page 21, 23 Ms. Williams? 24 A. Uh-huh. 25 Q. Paragraphs 20, 21, and 22 talk about Ms. Nancy</p>

GAYLE WILLIAMS - 04/05/2018

Pages 22..25

Page 22	Page 24
<p>1 Pease. Do you see that --</p> <p>2 A. Yes.</p> <p>3 Q. -- in paragraph 20?</p> <p>4 A. Uh-huh.</p> <p>5 Q. Have you read these paragraphs before?</p> <p>6 A. No.</p> <p>7 Q. No?</p> <p>8 A. (Witness shaking head from side to side.)</p> <p>9 Q. Okay. So as we sit here, you and I today -- this</p> <p>10 might short-circuit a lot of things -- do you have</p> <p>11 any personal knowledge of anything that's said in</p> <p>12 the complaint? Do you know something from being</p> <p>13 around the witnesses or the meetings or the</p> <p>14 litigation? Do you have any knowledge or do you</p> <p>15 just know what you've learned over the last week?</p> <p>16 A. Well, I know my dad worked at the rubber company.</p> <p>17 I know he had mesothelioma.</p> <p>18 Q. Right.</p> <p>19 A. I know he passed away from it at a pretty young</p> <p>20 age for a man. Yes, I know some things about the</p> <p>21 case.</p> <p>22 Q. Okay. Do you know about the Engelhard case?</p> <p>23 A. Through conversations with my brother-in-law and</p> <p>24 my counsel.</p> <p>25 Q. Okay. And these conversations with your</p>	<p>1 A. I was not involved in any conversations.</p> <p>2 Q. Okay. Do you have any understanding -- withdrawn.</p> <p>3 Prior to a year ago when having a</p> <p>4 discussion with your brother-in-law --</p> <p>5 A. Uh-huh.</p> <p>6 Q. -- did you have any understanding of how the talc</p> <p>7 lawsuits were resolved? Whether they were</p> <p>8 settled? Whether they were dismissed? Whether</p> <p>9 you received any money?</p> <p>10 A. We did receive settlements from different suits.</p> <p>11 Q. And how do you know about that?</p> <p>12 A. Because I received a settlement.</p> <p>13 Q. Okay. From whom?</p> <p>14 A. The correspondence came from Bevan's office. Are</p> <p>15 you asking me from what talc companies from whom</p> <p>16 the settlements were from?</p> <p>17 Q. Yes.</p> <p>18 A. I couldn't give you -- I couldn't tell you that</p> <p>19 right now.</p> <p>20 Q. And do you -- did you have any discussions with</p> <p>21 Mr. Bevan or anybody else regarding why the cases</p> <p>22 were being settled?</p> <p>23 A. No.</p> <p>24 Q. Did you have any discussions with your</p> <p>25 brother-in-law or anybody in your family at the</p>
Page 23	Page 25
<p>1 brother-in-law, these are recent conversations?</p> <p>2 MR. ROTH: Objection to form and</p> <p>3 foundation.</p> <p>4 A. In the last year or two, yes.</p> <p>5 Q. Okay. These were the conversations where he said</p> <p>6 there was a prior lawsuit on talc and we had</p> <p>7 settled or dismissed it?</p> <p>8 A. That was the first conversation, yes. And then it</p> <p>9 was probably another year or two after that that</p> <p>10 it came back up.</p> <p>11 Q. Okay. Prior to that conversation with your</p> <p>12 brother-in-law --</p> <p>13 A. Uh-huh.</p> <p>14 Q. -- which was a year ago or so --</p> <p>15 A. Uh-huh.</p> <p>16 Q. -- did you have any knowledge from any source,</p> <p>17 your sister or your brother-in-law, regarding your</p> <p>18 father's lawsuit against Engelhard?</p> <p>19 A. Not Engelhard specifically.</p> <p>20 Q. Okay. Against the talc companies?</p> <p>21 A. I knew we had lawsuits against several talc</p> <p>22 companies.</p> <p>23 Q. Okay. And other than knowing there were lawsuits</p> <p>24 against talc companies, did you know anything else</p> <p>25 about them?</p>	<p>1 time regarding why the cases were being settled?</p> <p>2 A. No.</p> <p>3 Q. After receiving the money --</p> <p>4 A. Uh-huh.</p> <p>5 Q. -- from the talc settlement, have you had any</p> <p>6 discussions with Mr. Bevan regarding why the cases</p> <p>7 were settled?</p> <p>8 A. No.</p> <p>9 Q. After receiving the money from the talc</p> <p>10 settlements, have you had any discussions with</p> <p>11 your brother-in-law regarding why the lawsuits</p> <p>12 were settled?</p> <p>13 MR. ROTH: Objection. Form and</p> <p>14 foundation.</p> <p>15 A. No.</p> <p>16 Q. As we sit here today, do you have any</p> <p>17 understanding of why the talc cases were settled?</p> <p>18 MR. ROTH: Objection. Form, foundation.</p> <p>19 A. No. I mean, I have no -- I wasn't involved in any</p> <p>20 conversations on any of the settlements.</p> <p>21 Q. So I'm going to show you now what's been marked as</p> <p>22 Defendant's Exhibit 131.</p> <p>23 A. I got it. Thank you.</p> <p>24 Q. It's entitled "Plaintiff Nancy Pease's</p> <p>25 Supplemental Answers to BASF Catalysts' First Set</p>

GAYLE WILLIAMS - 04/05/2018

Pages 26..29

Page 26	Page 28
<p>1 of Interrogatories." And I'd like to ask you to 2 take a moment and look through these and see if 3 they're familiar to you. Okay, Ms. Williams?</p> <p>4 A. Uh-huh. Okay.</p> <p>5 Q. Have you seen these interrogatory responses 6 before?</p> <p>7 A. Yes.</p> <p>8 Q. When did you see them?</p> <p>9 A. Oh, I honestly couldn't tell you when I saw them. 10 I've seen different interrogatories at different 11 times, so I think the first time I got any was, 12 like, after October of last year. So most 13 recently in the last – earlier this week I was 14 given copies, e-mailed copies.</p> <p>15 Q. Okay.</p> <p>16 A. But I didn't look at them then. But I have seen 17 these interrogatories earlier. Sorry.</p> <p>18 MR. ROTH: It's Jerry who will be mad.</p> <p>19 THE WITNESS: I'm sorry, Jerry.</p> <p>20 Q. Regarding the last page, the verification.</p> <p>21 A. Uh-huh.</p> <p>22 Q. Where were you when you signed that?</p> <p>23 A. I was at my home.</p> <p>24 Q. Okay. Were there any attorneys with you?</p> <p>25 A. No.</p>	<p>1 to talc defendants.</p> <p>2 A. Uh-huh.</p> <p>3 Q. A consortium of defendants including Georgia Talc, 4 Harwick Chemical, Eastern Magnesia Talc, also 5 referred to as EMTAL, International Talc, R.T. 6 Vanderbilt, Johnson & Johnson, Cyprus Industrial 7 Mineral, Southern Talc, Akrochem, and Milwhite.</p> <p>8 Do you see that?</p> <p>9 A. Uh-huh. Yes.</p> <p>10 Q. It says 9/9/1997.</p> <p>11 A. Yes.</p> <p>12 Q. Does that refresh your recollection as to whether 13 there was a settlement with talc companies and the 14 dates of those – of that settlement?</p> <p>15 MR. ROTH: Objection. Sorry. Objection.</p> <p>16 Form, foundation.</p> <p>17 A. Yes.</p> <p>18 Q. But regarding that settlement now, those talc 19 settlements –</p> <p>20 A. Uh-huh.</p> <p>21 Q. – do you have any memory regarding any of the 22 circumstances regarding those talc settlements?</p> <p>23 A. No.</p> <p>24 MR. ASSAF: Let's go off the record a 25 second.</p>
<p>1 Q. Okay. Did you discuss any of these with 2 Mr. Bevan, any of these interrogatory responses?</p> <p>3 A. No.</p> <p>4 Q. Okay. Do you – let's go through them. Regarding 5 interrogatory 4, which is on – the pages aren't 6 numbered, but I'd like to turn your attention to 7 interrogatory number 4.</p> <p>8 A. Okay. Okay.</p> <p>9 Q. Okay. It says, identify all resolutions of claims 10 or dispositions with any Defendant named in the 11 underlying action, parties to settlement, amount 12 of settlement, dates of the settlement and why the 13 claim was settled.</p> <p>14 A. Uh-huh.</p> <p>15 Q. And there's a listing of settlements. Do you see 16 that?</p> <p>17 A. Uh-huh. Yes. I'm sorry.</p> <p>18 Q. Does that strike you as the right list of the 19 settlements of your father's litigations over the 20 years?</p> <p>21 A. I mean, I don't know all these by heart, but yes, 22 it looks good.</p> <p>23 Q. Okay.</p> <p>24 MR. ROTH: And then there's –</p> <p>25 Q. And in the middle of the page there's a reference</p>	<p>1 (Discussion off the record.)</p> <p>2 MR. ASSAF: Go back on the record.</p> <p>3 BY MR. ASSAF:</p> <p>4 Q. Ms. Williams, did you discuss with your 5 brother-in-law or anybody else in your family 6 whether there was a mediation or whether there 7 were settlement discussions in this case?</p> <p>8 A. No.</p> <p>9 Q. Your brother-in-law or your sister, Ms. Pease, 10 never mentioned to you anything about a mediation?</p> <p>11 A. I don't remember anything about that.</p> <p>12 Q. Do you know that – have you ever 13 heard – withdrawn.</p> <p>14 Have you ever heard the term "aggregate 15 settlements"?</p> <p>16 A. I don't recall.</p> <p>17 Q. Okay.</p> <p>18 A. It sounds familiar, but –</p> <p>19 Q. All right. Could you open the complaint back up 20 to paragraph 227?</p> <p>21 A. Okay.</p> <p>22 Q. Okay. Have you read this portion of the complaint 23 before regarding aggregate settlements?</p> <p>24 A. No.</p> <p>25 Q. Okay. During the 1990s, did you have any</p>

GAYLE WILLIAMS - 04/05/2018

Pages 30..33

	Page 30	Page 32
1	discussions with anybody in your family or	1 knowledge about the underlying claims against
2	Mr. Bevan or anyone regarding aggregate	2 BASF?
3	settlements?	3 MR. ROTH: Objection. Form, foundation.
4	A. I don't recall any discussion about aggregate	4 A. I would – he is aware, so I would say yes.
5	settlements.	5 MR. ROTH: Just to be clear –
6	Q. Okay. And from the 1990s until today, have you	6 THE WITNESS: Okay.
7	ever discussed with anybody aggregate settlements?	7 MR. ROTH: – the interrogatory is asking
8	MR. ROTH: Objection to form, foundation,	8 about the underlying claims versus the
9	privilege.	9 Williams' claims. The class action.
10	A. If I did, the term aggregate settlements was	10 THE WITNESS: Oh.
11	not – I'm going to say no.	11 MR. ASSAF: I think she said that Gary
12	Q. If I wanted to talk to somebody who knew about	12 was involved in all sorts of meetings with
13	aggregate settlements, would it be better for me	13 Mr. Bevan regarding any –
14	to talk to your brother-in-law or Mr. Bevan or	14 MR. ROTH: I don't know that – I'm not
15	somebody else? Or you don't know?	15 going to –
16	MR. ROTH: Object to the form and	16 Q. Well, let's take it this way. Hold on.
17	foundation.	17 A. And I'm assuming he was.
18	A. Gary was the one – Gary and Nancy were always in	18 Q. Correct. Let's take it this way. You don't have
19	the meetings. If anybody knows anything, Gary and	19 any knowledge of Gary Pease – withdrawn.
20	Nancy would have – would have known. Does he	20 You don't have any knowledge of Mr. Bevan
21	know about it? I don't know.	21 being involved with any meetings with anybody in
22	Q. Okay.	22 your family regarding this class action, correct?
23	A. I'm sorry. That was a long way to go for "I don't	23 A. Correct.
24	know," but –	24 MR. ROTH: Objection to form and
25	Q. It's okay. When you said Gary was always in the	25 foundation.
	Page 31	Page 33
1	meetings, you mean the meetings with Mr. Bevan and	1 A. Ask me that again.
2	your father or your sister-in-law?	2 Q. Sure. Mr. Bevan is your family's attorney for
3	A. My sister.	3 asbestos cases?
4	Q. Okay.	4 A. Yes.
5	A. I just know that Nancy was the executor. Gary did	5 Q. Mr. Bevan is not your family's attorney for this
6	all the communicating. I'm – I know that anytime	6 Williams class action, correct?
7	Nancy had a meeting, Gary was with her. I don't	7 MR. ROTH: Objection. Form, foundation.
8	know who talked in these meetings or who knew	8 A. As I understand it, yes.
9	what, actually. But Gary was always our – he	9 Q. And when you talk about Gary Pease being involved
10	always disseminated all the information to us, was	10 in meetings –
11	Gary.	11 A. Uh-huh.
12	Q. So could you turn back into the interrogatories?	12 Q. – those meetings are with Mr. Bevan to discuss
13	I'm sorry.	13 the family's asbestos litigation, correct?
14	A. I could. Where do you want me?	14 MR. ROTH: Objection. Form, foundation.
15	Q. The first one, interrogatory 1.	15 A. Yes.
16	A. Okay.	16 Q. The family's asbestos litigation includes
17	Q. It says "Identify all persons with knowledge	17 litigation against talc companies, correct?
18	relating to your claims against BASF."	18 A. Yes.
19	A. Uh-huh.	19 Q. And Mr. Bevan represented your family in the
20	Q. Do you see that?	20 asbestos litigation against talc companies,
21	A. Uh-huh.	21 correct?
22	Q. Do you think that – and I'm sorry. What's Gary's	22 A. Yes.
23	last name? Is it Pease?	23 Q. And if anybody from your family were to have
24	A. Pease, uh-huh.	24 involvement with Mr. Bevan and the resolution of
25	Q. Should Gary Pease be listed as somebody with	25 the talc asbestos suits, based upon what you know,

GAYLE WILLIAMS - 04/05/2018

Pages 34..37

Page 34	Page 36
<p>1 it would probably be your brother-in-law Gary</p> <p>2 Pease? Fair?</p> <p>3 MR. ROTH: Objection. Objection. Form,</p> <p>4 foundation.</p> <p>5 A. Well, let me clarify this.</p> <p>6 Q. Okay.</p> <p>7 A. Gary is the one who disseminated information to</p> <p>8 us, the rest of us kids. For all I know, though,</p> <p>9 Nancy could have been meeting with Bevan and then</p> <p>10 told Gary and Gary told us. I don't know for a</p> <p>11 fact that my brother-in-law sat in with meetings</p> <p>12 with Mr. Bevan.</p> <p>13 Q. But I thought just earlier you said Gary was the</p> <p>14 point person and would have attended -</p> <p>15 A. Gary -</p> <p>16 Q. - attended all of the meetings?</p> <p>17 MR. ROTH: Objection. Form, foundation.</p> <p>18 Now you can answer.</p> <p>19 A. Okay. Gary and Nancy went to all the meetings.</p> <p>20 Whether Gary sat in the room or was in the actual</p> <p>21 meeting, I don't know. I assumed he was, but -</p> <p>22 Q. Well, you know your family.</p> <p>23 A. I could be wrong. Right.</p> <p>24 Q. I've never met Gary.</p> <p>25 A. Right.</p>	<p>1 MR. ROTH: No, I don't think so.</p> <p>2 MR. ASSAF: Why not?</p> <p>3 MR. ROTH: Because I'm saying no.</p> <p>4 MR. ASSAF: Well, I think it should have</p> <p>5 been in the interrogatories to begin with.</p> <p>6 MR. ROTH: Maybe, maybe not. Or maybe</p> <p>7 she's wrong.</p> <p>8 MR. ASSAF: Okay. Interesting.</p> <p>9 MR. ROTH: Yeah.</p> <p>10 Q. When you said that Gary Pease would disseminate</p> <p>11 the information to the other -</p> <p>12 A. Uh-huh.</p> <p>13 Q. - children, would he disseminate it by mail? By</p> <p>14 e-mail? By dropping materials off? How did it</p> <p>15 happen?</p> <p>16 A. A lot of times we have a - we have a family</p> <p>17 meeting twice a year and he would always kind of</p> <p>18 keep us posted on - update what's going on.</p> <p>19 Phone calls.</p> <p>20 Q. Family meeting, did the family meeting also</p> <p>21 discuss asbestos litigation?</p> <p>22 A. Only if there was - he knew that we were - a</p> <p>23 settlement might be coming or something, he might</p> <p>24 have said.</p> <p>25 Q. Did you talk to Gary Pease this week in</p>
<p>1 Q. So you just have to know - drawing upon all of</p> <p>2 your knowledge of Gary, I think you described him</p> <p>3 as the point person, right?</p> <p>4 A. Well, him and Nancy were - are - yes.</p> <p>5 Q. And based upon your family dynamic that you know</p> <p>6 of -</p> <p>7 A. Uh-huh.</p> <p>8 Q. - it - would Gary drive your sister to</p> <p>9 Mr. Bevan's office and then wait outside for her</p> <p>10 to go to the meeting with Mr. Bevan -</p> <p>11 MR. ROTH: Objection.</p> <p>12 Q. - and then hear about it?</p> <p>13 MR. ROTH: Objection. Form.</p> <p>14 Q. Or would he likely attend the meeting?</p> <p>15 MR. ROTH: Objection. Form, foundation.</p> <p>16 A. I don't know. I mean, I really don't know if he</p> <p>17 was invited into the meeting or not. I mean, he</p> <p>18 could have very well just taken her and she had</p> <p>19 the meeting. I don't know how - I don't know.</p> <p>20 Q. Would you be able to find out?</p> <p>21 A. Could I call Gary and ask him if he was in the</p> <p>22 meetings?</p> <p>23 Q. Yeah.</p> <p>24 A. Yeah, that's -</p> <p>25 Q. Okay. Could you do that at the break?</p>	<p>1 preparation for your deposition?</p> <p>2 A. I talked to Gary this week. Not in preparation</p> <p>3 for this.</p> <p>4 Q. Did you talk about the lawsuit?</p> <p>5 A. I talked to - I told him I was coming here.</p> <p>6 Q. And what did he say?</p> <p>7 A. He said, "Good luck with that."</p> <p>8 Q. Is that it?</p> <p>9 A. Pretty much. We were at a funeral, so -</p> <p>10 Q. Did you talk to him - withdrawn.</p> <p>11 Did you talk to Mr. Bevan about today's</p> <p>12 deposition?</p> <p>13 A. No.</p> <p>14 Q. 133, 134, 135. Let me show you what's been marked</p> <p>15 as Defendant's Exhibit 133. Defendant's Exhibit</p> <p>16 133 is the original complaint from 19 - April</p> <p>17 4th, 1994 against a number of defendants,</p> <p>18 including Eastern Magnesia Talc, subsidiary of</p> <p>19 Engelhard. Have you seen the complaint, including</p> <p>20 in preparation for today's deposition?</p> <p>21 A. This?</p> <p>22 Q. Yeah.</p> <p>23 A. No.</p> <p>24 Q. No? Okay. Let me show you Exhibit 134.</p> <p>25 Exhibit 134 - sorry.</p>

GAYLE WILLIAMS - 04/05/2018

Pages 38..41

Page 38	Page 40
<p>1 A. That's all right.</p> <p>2 Q. Is a four-page document bearing Bates numbers BASF</p> <p>3 Williams 46197 through 46200. And it's an order</p> <p>4 by Judge Victor dismissing the William Clark case</p> <p>5 because of a failure to provide a witness list.</p> <p>6 Have you seen this document before?</p> <p>7 A. No.</p> <p>8 Q. Do you have any understanding that Mr. Bevan</p> <p>9 caused your father's case to be dismissed because</p> <p>10 he failed to provide the requirements to the</p> <p>11 court?</p> <p>12 MR. ROTH: Objection. Form, foundation.</p> <p>13 A. No.</p> <p>14 Q. Did you ever hear of that from Gary or from</p> <p>15 Mr. Bevan?</p> <p>16 A. No.</p> <p>17 Q. Is that something that you would have expected to</p> <p>18 hear?</p> <p>19 A. No.</p> <p>20 Q. Let me show you what's been marked as Defendant's</p> <p>21 Exhibit 135. Exhibit 135 is a multiple-page</p> <p>22 document. It's a memorandum in support of the</p> <p>23 motion for summary judgment for lack of product</p> <p>24 identification on behalf of EMTAL, bearing Bates</p> <p>25 numbers BASF Williams 51891 through 897. Have you</p>	<p>1 A. I know he worked - when you say he worked with</p> <p>2 talc, I mean, I -- I don't know to what exposure,</p> <p>3 what extent. It's not like I knew he - I know he</p> <p>4 worked in maintenance and - I mean, my dad never</p> <p>5 said, "Oh, my gosh, I worked with talc."</p> <p>6 Q. Right.</p> <p>7 A. So I guess I'm kind of in a gray area of - I</p> <p>8 mean, I - yes, I know he cleaned different things</p> <p>9 that they used talc with, like when he was in the</p> <p>10 tank lining process - you know, cleaned out the</p> <p>11 tank linings. I couldn't tell you specifically</p> <p>12 where he came in contact with the talc in the</p> <p>13 rubber plant.</p> <p>14 Q. Okay. You know he worked with asbestos, too,</p> <p>15 right?</p> <p>16 A. No.</p> <p>17 Q. No?</p> <p>18 A. Well, when you say "asbestos," I was thinking the</p> <p>19 talc with asbestos in it.</p> <p>20 Q. You don't think he - based upon your involvement</p> <p>21 with the talc - withdrawn.</p> <p>22 Based upon your involvement with the</p> <p>23 asbestos litigation over the years on behalf of</p> <p>24 your family -</p> <p>25 A. Uh-huh.</p>
Page 39	Page 41
<p>1 heard the term "product identification"?</p> <p>2 A. In general?</p> <p>3 Q. Yeah.</p> <p>4 A. Sure.</p> <p>5 Q. Within the asbestos litigation that's been - that</p> <p>6 your family's been involved in, do you have an</p> <p>7 understanding that product identification relates</p> <p>8 to being able to identify that a certain company's</p> <p>9 product was involved with a plaintiff? In other</p> <p>10 words, that your father was exposed to a certain</p> <p>11 company's talc. Have you heard that?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And from your involvement with asbestos</p> <p>14 litigation over the years, you understand that</p> <p>15 product identification is a significant issue for</p> <p>16 a plaintiff? In other words, a plaintiff has to</p> <p>17 be able to show that they were exposed to a</p> <p>18 certain company's product, right?</p> <p>19 MR. ROTH: Objection. Form and</p> <p>20 foundation.</p> <p>21 A. Ask me again.</p> <p>22 Q. Sure. Do you know whether your father worked with</p> <p>23 talc?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. Did he work with talc?</p>	<p>1 Q. - you don't have any understanding that your</p> <p>2 father was exposed to raw asbestos?</p> <p>3 MR. ROTH: Objection. Form and</p> <p>4 foundation.</p> <p>5 A. Right.</p> <p>6 Q. Okay. So Exhibit 135 - withdrawn.</p> <p>7 On the talc, do you have any</p> <p>8 understanding of whether your father was exposed</p> <p>9 to talc from Southern Talc or Georgia Talc or</p> <p>10 Vanderbilt talc or EMTAL talc?</p> <p>11 A. No.</p> <p>12 Q. You would agree with me that if your father was</p> <p>13 exposed to talc from, say, Southern Talc and not</p> <p>14 talc from my client, that my client shouldn't have</p> <p>15 to pay? Fair?</p> <p>16 MR. ROTH: Objection. Form, foundation.</p> <p>17 A. If he was never exposed to your client's talc,</p> <p>18 ever, then I would say no.</p> <p>19 Q. He shouldn't receive compensation, correct?</p> <p>20 A. If he -</p> <p>21 MR. ROTH: Objection. Form, foundation.</p> <p>22 You can answer.</p> <p>23 A. If he was never exposed to your client's talc?</p> <p>24 Q. Then he should not get compensation, correct?</p> <p>25 A. Correct.</p>

GAYLE WILLIAMS - 04/05/2018

Pages 42..45

Page 42	Page 44
<p>1 Q. Okay. So over the years of working with 2 Mr. Bevan, you have come to trust Mr. Bevan as a 3 lawyer, correct? 4 MR. ROTH: Objection. Form, foundation. 5 From all those conversations you've had. 6 A. I have – I trust my brother-in-law. I've never 7 had any contact with Mr. Bevan to know whether to 8 trust, but I trust my sister and my brother-in-law 9 in their dealings. 10 Q. In their dealings? 11 A. Right. Or my sister's dealings. 12 Q. And you don't know whether your brother-in-law had 13 dealings? 14 A. I assumed he did. I don't know. I can't tell you 15 for sure. 16 Q. Okay. Exhibit 135 is a motion for summary 17 judgment on behalf of EMTAL for product 18 identification. And do you see it in front of 19 you? 20 A. Uh-huh. Yes. 21 Q. And do you see on page 2, the top of it, it says, 22 "EMTAL talc has not been identified as having been 23 used at any specific work site of any Plaintiff in 24 this action"?</p> <p>25 A. Uh-huh.</p>	<p>1 MR. ROTH: Okay. 2 A. What question am I answering? 3 MR. ROTH: You don't know what the ruling 4 of this motion was. Somebody else does. 5 THE WITNESS: Right. 6 MR. ROTH: Repeat your question. 7 MR. ASSAF: Mr. Roth is trying to testify 8 now. 9 MR. ROTH: No, I'm not trying to testify. 10 I'm trying to point out the unfairness of 11 this question. 12 MR. ASSAF: Do you have anything else, 13 Mr. Roth? 14 MR. ROTH: Yeah, I repeat my objection to 15 the form and foundation. 16 MR. ASSAF: Would you like to say 17 anything else? Please do. 18 MR. ROTH: I would like to say more, but 19 I will not. 20 Q. In the mid-1990s, do you recall hearing that your 21 father was unable to show that he was exposed to 22 EMTAL talc? 23 MR. ROTH: Objection to form and 24 foundation. 25 A. I did not hear that.</p>
<p>1 Q. Do you see that? 2 A. Uh-huh. 3 Q. And it says, "No Plaintiff or representative has 4 testified that he has worked with or was exposed 5 to EMTAL talc." 6 A. Uh-huh. 7 Q. Do you see that? 8 A. Uh-huh. 9 Q. Then it says, "No co-worker or other witness 10 testified that EMTAL talc was present at any of 11 the Plaintiffs' specific work sites." Do you see 12 that? 13 A. Yeah. 14 Q. "Not one of Plaintiffs' supposed product 15 identification witnesses was able to place EMTAL 16 talc within proximity of any of the Plaintiffs 17 during the relevant time period." Do you see 18 that? 19 A. Yep. 20 Q. In the mid-1990s, did you hear from any source 21 that your father was unable to show that he was 22 exposed to EMTAL talc? 23 MR. ROTH: Objection. Form, foundation. 24 What happened to this motion? 25 Q. You can answer the question.</p>	<p>1 Q. Now, in this motion for summary judgment there is 2 nothing, and you can look through it, about 3 whether EMTAL talc contains or doesn't contain 4 asbestos. 5 A. In this? 6 Q. Correct. 7 A. Well, I haven't read all of this. 8 Q. All right. You can take your time and look 9 through it, if you'd like. 10 A. Well, all of this was – is previous, though, to 11 when it was discovered that it did have it. 12 Q. Okay. And how do you know that? 13 A. Because I – I knew when Gary and Nancy told us 14 that there was this suit because it was discovered 15 that one of the companies had given information 16 that there was no asbestos in their talc and it 17 was later found out that there was. So – 18 Q. And do you know whether Mr. Gary Pease or 19 Ms. Nancy Pease or William Clark or your mother 20 were ever told that there was no asbestos in 21 Engelhard's talc? Do you know that? 22 A. No, I don't know that. 23 Q. Okay. 24 A. If they were ever told. 25 Q. Okay. Now I'm going to show you Defendant's</p>

GAYLE WILLIAMS - 04/05/2018

Pages 46..49

Page 46	Page 48
<p>1 Exhibit 136. Defendant's Exhibit 136 is a notice 2 of dismissal filed by Tom Bevan – 3 A. Uh-huh. 4 Q. – on behalf of William F. Clark. 5 A. Uh-huh. 6 Q. It says, "Please take notice that the above-titled 7 action is dismissed pursuant to Civil Rule 41(A)1 8 with respect to Plaintiffs William F. Clark and 9 Norma Clark only." Do you see that? 10 A. Uh-huh. 11 Q. Do you have any recollection in 1995 of hearing 12 that Mr. Bevan decided to dismiss your father's 13 case? 14 A. No. 15 Q. Let me show you Exhibit 137. Defendant's Exhibit 16 137 is a new complaint, this one filed in Cuyahoga 17 County, Ohio. The previous lawsuit was filed in 18 Summit County, Ohio. 19 A. Okay. 20 Q. And this is a lawsuit against various defendants, 21 including a number of talc companies. Have you 22 seen this complaint before? 23 A. (Witness shaking head from side to side.) No. 24 Q. Okay. Let me show you Exhibit 138. 25 A. Thank you.</p>	<p>1 MR. ASSAF: I don't know. I assume it's 2 been produced. We'll check on that. 3 MR. ROTH: Thank you. 4 Q. Okay. Turning your attention to the first page, 5 it says, "EMTAL moves for summary judgment in its 6 favor pursuant to Rule 56 of the Ohio Rules of 7 Civil Procedure on the grounds that the statute of 8 limitations has run on claims by the Estate of 9 William Clark and any wrongful death claim against 10 EMTAL or to dismiss the consortium claim for 11 insufficient service and lack of personal 12 jurisdiction." Do you see that? 13 A. Yes. 14 Q. Do you have any recollection of hearing in 1997 15 that EMTAL moved to dismiss your father and 16 mother's cases for insufficient service, statute 17 of limitations and lack of personal jurisdiction? 18 A. No. 19 Q. Okay. Mr. Bevan's never told you or your family 20 that, as far as you know? 21 MR. ROTH: Objection. Form, foundation. 22 A. Correct. 23 Q. Okay. Now, you mentioned earlier that you heard 24 from your brother-in-law, Mr. Gary Pease, that 25 something came up showing that one of the talc</p>
<p>1 Q. In 19 – withdrawn. 2 Exhibit 138 is June 18th, 1997, motion 3 for summary judgment and to dismiss EMTAL or 4 Eastern Magnesia Talc Company filed in Cuyahoga 5 County. I'd like to take a minute to look at this 6 document. 7 MR. ROTH: Is there a Bates number? 8 MR. ASSAF: I don't have a Bates number 9 on this. 10 MR. ROTH: Was this produced to the 11 Plaintiffs? 12 MR. ASSAF: Sure it was. I don't know. 13 I assume it's from Bevan's files, but I'm not 14 sure. 15 MR. ROTH: Well, if it came from us and 16 Bevan's file, it would be marked. 17 MR. ASSAF: Anyway, it's a public record, 18 public document. I'm sure it's been produced 19 either through Bevan or through us. 20 MR. ROTH: Well, if it came from Bevan, 21 it would have a stamp on it. If it came from 22 you, it would have a stamp on it. 23 MR. ASSAF: Are you saying it's – 24 MR. ROTH: I'm asking whether it's been 25 produced to us?</p>	<p>1 companies had asbestos in the talc and that was 2 significant. When Mr. Pease talked to you about 3 this class action – 4 A. Okay. 5 Q. – he told you that this company Engelhard had 6 asbestos in its talc? 7 A. Yes. 8 Q. Okay. And was it your understanding that if 9 there's asbestos in the talc, then the 10 compensation for a lawsuit should be more 11 significant than if the talc has no asbestos? 12 MR. ROTH: Objection to form and 13 foundation. 14 A. You're saying if the talc had absolutely no 15 asbestos in it? 16 Q. Correct. 17 A. Should there be compensation for an asbestos 18 claim? 19 Q. Yes. 20 A. I wouldn't think so, but I'm no expert. 21 Q. Okay. Now, take the other side of that. If a 22 talc company had asbestos in its talc – 23 A. Yes. 24 Q. – would you, as a plaintiff, think you're 25 entitled to more money for an asbestos injury?</p>

GAYLE WILLIAMS - 04/05/2018

Pages 50..53

Page 50	Page 52
<p>1 MR. ROTH: Objection to form and 2 foundation. 3 A. More money than – what do you mean, "more money"? 4 Q. Than a company that doesn't have asbestos in the 5 talc. 6 Step back. Let's take it this way. You 7 know that there were talc settlements. You and I 8 talked about that earlier. 9 A. Yes. 10 Q. Against a number of talc companies, correct? 11 A. Yes. 12 Q. Do you have any understanding of whether those 13 talc companies had asbestos in their talc? 14 A. No. 15 Q. Okay. Do you believe that they did not have 16 asbestos in their talc? 17 A. No. 18 MR. ROTH: Object. 19 Q. Why? 20 A. I – because I assumed if my dad died due to 21 asbestos exposure, that the companies that 22 settled, whether – that were in the case were 23 companies that had asbestos in their talc. 24 Q. Okay. Yeah, because of the thing. So let me show 25 you –</p>	<p>1 MR. ASSAF: I will. 2 MR. PLACITELLA: Okay. What was 3 the – this – 142. Is this the original or 4 is that an extra? 5 Q. Okay. Exhibit 142 is what we have received from 6 Mr. Bevan. In the upper left-hand corner is 7 handwritten "Talc." In the upper right-hand 8 corner is "TWLP2," and then there are a bunch of 9 what we call redactions. 10 A. Uh-huh. 11 Q. I didn't do that. I think your lawyers or 12 Mr. Bevan did that. So I know it's hard to read, 13 but up top it says "Nancy Pease," and handwritten 14 there is "\$7,500." Do you see that? 15 A. I see 7,500, uh-huh. 16 Q. Yep, you see 7,500. And then there's a voluntary 17 dismissal at the end of a number of companies that 18 are talc companies. If you go to the very – 19 A. Okay. 20 Q. The second-to-last page, it's a dismissal with 21 prejudice against Akrochem, Cypress Industrial, 22 Milwhite, Georgia Talc, Harwick Chemical, Eastern 23 Magnesia Talc, International Talc, 24 R.T. Vanderbilt, J&J and Southern Talc. Do you 25 see that?</p>
<p>1 MR. ASSAF: And I think this might answer 2 your prior question, Mr. Roth. 3 MR. ROTH: Thank you. 4 MR. ASSAF: Defendant's Exhibit 142, 5 which does not bear Bates numbers and is, I'm 6 sure, not produced by us because it's from 7 the files of Tom Bevan and it's highly 8 redacted. So I guess that there are 9 documents being produced from Mr. Bevan 10 without Bates-stamped numbers. Because I can 11 assure you we would not have had Mr. Bevan's 12 internal talc files for the Tire Workers 13 Litigation Project, too, and we would not 14 have redacted the information. 15 Mr. Placitella, am I wrong on that? 16 MR. PLACITELLA: I don't know. I'll have 17 to check that, Gene. 18 MR. ASSAF: You think that this is coming 19 from us? 20 MR. PLACITELLA: I don't know where this 21 is coming from. 22 MR. ASSAF: Okay. Well, maybe you could 23 check that. 24 MR. PLACITELLA: Sure. And you could 25 check where 138 comes from?</p>	<p>1 A. Sorry. No, I don't. Where are you? 2 MR. ROTH: It goes on to the next page. 3 THE WITNESS: Oh, up here. Sorry. 4 Q. Do you have any understanding of – I think we 5 started off with the interrogatories. If you can 6 pull those back out, the ones that you signed, 7 showing that on 9/9/1997 there was a settlement 8 with talc companies? 9 THE WITNESS: I have some in my lap, too. 10 MR. ROTH: No, that's not the 11 interrogatories. 12 Q. Interrogatory number 4. You got it? 13 A. Okay. Yes. 14 Q. Do you see where – and these are the 15 interrogatories you signed? 16 A. Yes. 17 Q. And 9/9/1997 is listed as a settlement with a 18 consortium of defendants. 19 A. Uh-huh. 20 Q. Okay. And then there's a dismissal here in 1998 21 against a number of defendants. They seem to be 22 the same defendants. And to put it all together, 23 here's Exhibit 141, which is the release signed by 24 your sister against all of these talc defendants 25 who were dismissed: Georgia Talc, Harwick Talc,</p>

GAYLE WILLIAMS - 04/05/2018

Pages 54..57

	Page 54	Page 56
1	EMTAL, International Talc, R.T. Vanderbilt, J&J, 2 and Southern Talc. Okay. Do you have an 3 understanding that at some point in 1997, 1998, 4 your sister, on behalf of your father and 5 mother – 6 A. Uh-huh. 7 Q. – settled with a consortium of talc defendants? 8 A. I understand that from you giving me this. 9 Q. Yes. Okay. Now, did she ever tell you, in words 10 or in substance, that she was settling because the 11 talc companies had no asbestos in their talc? 12 A. No. 13 MR. ROTH: Objection to form and 14 foundation. 15 THE WITNESS: Sorry. 16 A. No. 17 Q. Okay. Did you ever hear that they were – that 18 your sister settled because she was told, in words 19 or in substance, there was no asbestos in the talc 20 of the defendants? 21 MR. ROTH: Objection. Form, foundation. 22 A. Are you asking me if I was told in 19 – when 23 these were signed? 24 Q. Correct. 25 A. No.	1 A. So that's the gist of the conversation that I had. 2 Q. With your sister? 3 A. With Gary. 4 Q. With Gary, sorry. 5 A. Sorry. 6 Q. I keep forgetting about Gary. 7 A. Gary's been my brother-in-law since I was seven 8 years old. He's like a dad almost. 9 Q. So you had that – 10 A. He was the man in the relationship. 11 Q. And I think you said he's the – as far as you 12 recalled, he was the point person on a lot of this 13 litigation? 14 A. Nancy was the executor. I don't know – he's the 15 one who disseminated information to us. If he had 16 meetings with – if he was in all the other 17 meetings, I really don't know. But he is the one 18 who told us kids, this is what's going on. 19 Q. And he told you about the reason for the class 20 action? 21 A. Yes. 22 Q. Okay. Now, did he tell you that – 23 A. Sorry. I can't read with them and I can't see you 24 without them. 25 Q. Okay. Sorry. Did Gary or anyone tell you at the
1	Q. Okay. So now let's go fast-forward. 2 A. Okay. 3 Q. Have you been told at any time that the reason 4 that your sister settled was because she was told 5 there was no asbestos in the talc of any of the 6 talc defendants? 7 A. Yes. 8 Q. Okay. When did you learn that? 9 A. When she told me about the class action suit. 10 That was the reason for the class action 11 suit. 12 Q. Okay. I understand the reason for the class 13 action, but did she tell you at that time that she 14 settled because there was no asbestos in the 15 products of any of the talc companies? 16 A. I don't remember her using those exact words. 17 Q. Did she use words like that? 18 A. I re – I remember being told that this class 19 action came about because they had – because they 20 had settled, and I don't know for money or no 21 money, but that they had settled because the 22 companies showed they had no talc in their 23 asbestos and that subsequently was found that they 24 did. 25 Q. All right.	1 time of this class action that your sister would 2 have wanted more money to settle if she had known 3 there was asbestos in the talc? 4 A. No. 5 Q. Because she was going to settle with all the 6 defendants whether there was asbestos in their 7 talc or not. True? 8 MR. ROTH: Objection. Form, foundation. 9 A. I don't know what her intentions were. 10 Q. Gary didn't tell you that she and Mr. Bevan knew 11 there was asbestos in the talc of some defendants 12 but wanted to settle anyway? 13 MR. ROTH: Object. 14 A. No. 15 Q. Would that surprise you? 16 MR. ROTH: Objection. Form, foundation. 17 A. Would what surprise me? That they didn't discuss 18 that with us? 19 Q. No, that – we've established that there is a 20 settlement with a number of talc companies, 21 correct? 22 A. Right. Yes. 23 Q. And let's say it was for \$7,500. 24 A. Okay. 25 Q. Okay? Mr. Bevan and your sister, Nancy Pease,

GAYLE WILLIAMS - 04/05/2018

Pages 58..61

Page 58	Page 60
<p>1 knew that some of these talc companies had 2 asbestos in the talc. 3 A. Okay. 4 Q. True? 5 MR. ROTH: Object. 6 A. I don't know what they knew. 7 MR. ROTH: Objection to form and 8 foundation. 9 Q. Well, would you have – if there was asbestos in 10 the talc of any of these talc defendants – 11 A. Uh-huh. 12 Q. – would you have expected more money than \$7,500? 13 MR. ROTH: Objection. Form, foundation. 14 A. I wouldn't know how much money to expect. 15 Q. Well, we know that your sister accepted \$7,500. 16 A. Okay. 17 Q. On behalf of several talc companies, correct? 18 A. Okay. 19 Q. And with respect to those talc companies – 20 A. Uh-huh. 21 Q. – did Gary or anybody tell you that those talc 22 companies, some of them, had asbestos in their 23 talc? 24 A. No, I – we never had a conversation about this, 25 period.</p>	<p>1 Q. Mr. Bevan knew that there was asbestos in the 2 product of some talc companies. True? 3 A. In some of these? 4 Q. Yes. 5 A. I don't know – 6 MR. ROTH: Objection. Form, foundation. 7 You can answer. 8 A. I don't know what Mr. Bevan knew. 9 Q. Okay. Well, if Mr. Bevan knew there was asbestos 10 in the talc of one of the Defendants and he was 11 still recommending that you take this group 12 settlement for \$7,500, you would think that's 13 still a fair settlement, correct? 14 MR. ROTH: Objection. Form, foundation. 15 Q. Withdrawn. Do you have any reason to believe that 16 the \$7,500 settlement was not fair with the talc 17 defendants? 18 A. I have no basis of knowing whether that was fair 19 or not fair. 20 Q. Okay. And if I'm able to show you that Mr. Bevan 21 knew that the talc defendants, at least one of 22 them, had asbestos in their talc, would you agree 23 with me that if another company had asbestos in 24 its talc, too, that would be up to Mr. Bevan to 25 decide to settle?</p>
<p>1 Q. Okay. Even when he told you that one of the 2 reasons the case settled was that you were told 3 there was asbestos – withdrawn. 4 When you found out about the class 5 action – 6 A. Uh-huh. 7 Q. – Gary told you – 8 A. Uh-huh. 9 Q. – that somebody had been told there was no 10 asbestos in the talc, correct? 11 A. Yes. 12 Q. Okay. And I think you testified that it would 13 matter to you to know whether a company had 14 asbestos in its talc? 15 MR. ROTH: Objection. 16 Q. Correct? 17 MR. ROTH: Objection. Form, foundation. 18 A. Yes. 19 Q. So let me show you what's been 20 marked – withdrawn. 21 At the time of the talc settlement with 22 all the talc defendants – 23 A. These group – this group here? 24 Q. Correct. 25 A. Okay.</p>	<p>Page 59</p> <p>1 MR. ROTH: I'm sorry? 2 Q. Withdrawn. Bad question. With respect to the 3 talc consortium settlement – 4 A. Uh-huh. 5 Q. – if Mr. Bevan knew there was asbestos in the 6 talc of one of the defendants, would that matter 7 to you? 8 MR. ROTH: Objection to form. 9 A. Would it matter to me if Mr. Bevan knew that some 10 of these – any of these had talc in their – 11 MR. ROTH: Asbestos in their talc. 12 A. Yeah, asbestos in their talc? I don't know. 13 Q. Okay. Well, because when Gary tells you, oh, we 14 settled this case years ago and we've now found 15 out that one of the companies we settled with had 16 asbestos in the talc, did he seem surprised to 17 you? 18 A. Did he seem – to find out that one of the 19 companies that said they had no talc ended up – I 20 mean had no asbestos ended up that they did? 21 Q. Yeah. 22 A. Yeah, I would say he was – I don't know if he was 23 surprised, but – 24 Q. Did he think that he or the family should have 25 been entitled to more money because of that?</p>

GAYLE WILLIAMS - 04/05/2018

Pages 62..65

Page 62	Page 64
<p>1 A. I don't know what he thought as far as whether 2 there should be more money or no more money or - 3 Q. Let me show you what's been marked as - do we 4 have a DX on this? Oh, it was previously marked 5 Defendant's Exhibit 12. Previously marked as 6 Defendant's Exhibit 12. And Defendant's 7 Exhibit 12 is Plaintiffs' Responses to Motions for 8 Summary Judgment on Behalf of the BFGoodrich 9 Company. And I'd like to turn your attention to 10 page 15.</p> <p>11 A. I'm on page 15.</p> <p>12 Q. Okay. At the bottom. Number 2, "Plaintiffs refer 13 the court to a September 10th, 1971 Harwick 14 document in which Plaintiffs have highlighted a 15 barely legible note written by Harwick personnel 16 which states: Jan Scotland has informed us that 17 BFGoodrich is discontinuing the purchase of 18 Code 26, A-White Talc, due to the asbestos 19 content. He indicated that this is not a new 20 problem." Do you see that?</p> <p>21 A. Yes.</p> <p>22 Q. And it goes on to say, "BFGoodrich, however, did 23 not create a 'no asbestos' talc specification 24 until seven years later. See Exhibit 25. Also, 25 BFGoodrich did not remove asbestos-containing</p>	<p>1 A. Yes.</p> <p>2 Q. And do you have any problem with Mr. Bevan 3 recommending that settlement even though he knew 4 there was asbestos in the talc?</p> <p>5 MR. ROTH: Objection to form, foundation.</p> <p>6 A. I have to rely on Mr. Bevan's expertise on what's 7 reasonable or not reasonable.</p> <p>8 MR. ASSAF: Let's take a break.</p> <p>9 THE WITNESS: Thank you.</p> <p>10 (Recess was taken.)</p> <p>11 MR. ROTH: If we go back on the record, 12 I'm going to ask and we'll follow it up with 13 a note that you check, confirm that the 14 motion for summary judgment -</p> <p>15 MR. PLACITELLA: Twelve?</p> <p>16 MR. ROTH: Yeah. We couldn't recall 17 where it had been previously marked.</p> <p>18 MR. FARRELL: In the Holley deposition.</p> <p>19 MR. ROTH: In the first or second?</p> <p>20 MR. ASSAF: First one.</p> <p>21 BY MR. ASSAF:</p> <p>22 Q. Let me show you what's been marked as Defendant's 23 Exhibit 139, just to fill out these documents.</p> <p>24 This is a signed order that the motion for summary 25 judgment is withdrawn as moot - I'm sorry. The</p>
<p>1 'White Talc' from Southern Talc from its supplier 2 list until 1980. See Exhibit 26." Do you see 3 that?</p> <p>4 A. Yes.</p> <p>5 Q. And this is submitted, if you turn to the page 18, 6 it's submitted by your attorney, Tom Bevan. Do 7 you see that?</p> <p>8 A. Yes.</p> <p>9 Q. And then if you turn to the end, Mr. Bevan informs 10 the court - I'll show you. It's entitled "Raw 11 Materials Department Technical Confirmation Sheet 12 June 11th, 1980." I'll just hand this to you.</p> <p>13 Mr. Bevan includes for the court in Exhibit 26 to 14 his motion a document showing that there was an 15 indication of asbestos in Southern Talc. Do you 16 see that?</p> <p>17 A. Uh-huh.</p> <p>18 Q. And then you now know Mr. Bevan recommended that 19 you settled with Southern Talc, correct?</p> <p>20 A. Uh-huh.</p> <p>21 Q. And Southern Talc was part of this \$7,500 22 consortium settlement, correct?</p> <p>23 A. Yes.</p> <p>24 Q. Even though Mr. Bevan knew that Southern Talc had 25 asbestos in it, correct?</p>	<p>1 motion by EMTAL for summary judgment is withdrawn 2 as moot, September 28, 1997 by Judge Hanna, Nancy 3 Pease versus Owens-Corning, et al. Do you see 4 this document?</p> <p>5 A. Yes, I do.</p> <p>6 Q. In 1997, did you have any understanding that the 7 EMTAL motion was withdrawn? That's the EMTAL 8 motion for product identification, statute of 9 limitations, all these procedural issues, that 10 that was being withdrawn?</p> <p>11 A. No.</p> <p>12 Q. Okay.</p> <p>13 MR. PLACITELLA: Gene, quick question.</p> <p>14 Was that Exhibit 139, you said?</p> <p>15 MR. ASSAF: 139.</p> <p>16 MR. PLACITELLA: Okay. Thanks.</p> <p>17 Q. Have you asked your brother-in-law Gary Pease 18 whether he has any documents related to the 19 underlying litigation?</p> <p>20 A. No, I have not asked him.</p> <p>21 Q. Okay. Could you?</p> <p>22 A. Yes, I'm capable of that.</p> <p>23 Q. All right. Would you?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. Do you know if your attorneys have asked</p>

GAYLE WILLIAMS - 04/05/2018

Pages 66..69

Page 66	Page 68
1 him? 2 A. I don't know if my attorneys have asked him for 3 documents. 4 Q. Do you know if your attorneys have ever met with 5 Gary Pease? 6 A. I don't know for a fact that they've met with Gary 7 Pease, no. 8 Q. Do you know whether they've talked to him? 9 A. Yes. 10 Q. Do you know whether they talked to him before 11 January 29th, 2018? The day you signed the 12 verification -- 13 A. Oh. 14 Q. -- for the interrogatories. So did they talk to 15 him before January of 2018? 16 A. I know -- I think my sister had. 17 MR. ROTH: No, the question is 18 whether -- 19 THE WITNESS: Gary did? 20 A. I don't know if Gary did. 21 Q. Okay. Do you know whether, as the point person, 22 Gary keeps files on the litigation? 23 A. I don't know. 24 Q. You don't know one way or the other? 25 A. I don't know one way or another.	1 A. Conversation. 2 Q. Okay. All right. Thanks very much for your time. 3 We're done. 4 A. We are? 5 Q. Yeah. 6 A. Oh, thank you. 7 Q. You're welcome. 8 MR. ASSAF: Any cross? 9 MR. ROTH: No, I'm good. 10 MR. DOLINSKY: No questions. 11 MR. BOYLE: John Boyle. No questions for 12 me. 13 MR. TUNIS: And this is Eric Tunis. No 14 questions for me, either. 15 ----- 16 (Signature was not waived by the Witness.) 17 ----- 18 (The deposition was concluded at 10:41 a.m.) 19 ----- 20 21 22 23 24 25
Page 67	Page 69
1 Q. You don't know whether anybody's ever checked with 2 him on that? 3 A. I don't know. 4 MR. ROTH: Objection. Form, foundation. 5 Q. In terms of your deposition preparation yesterday, 6 where did it occur again? At the Bevan office? 7 A. At Bevan's office. 8 Q. And how long did it occur? 9 A. A couple hours. 10 Q. Okay. Who was there? 11 A. In the deposition -- in the -- 12 Q. Yes. 13 A. Just myself and Jared and -- 14 Q. Harry? 15 A. Yeah, Harry. Sorry. 16 Q. And were you shown documents? 17 A. What -- no. 18 THE WITNESS: You didn't show me 19 documents, did you? No. 20 Q. No documents, okay. Were you -- 21 A. I know it was just yesterday, but -- 22 Q. Were you shown anything up on a television or 23 computer screen? 24 A. No. 25 Q. Okay. It was just discussion?	1 WITNESS CERTIFICATE 2 3 I, GAYLE WILLIAMS, do hereby certify that I have 4 read my deposition taken on April 5, 2018, in the case 5 of Kimberlee Williams, et al. Versus BASF Catalysts, 6 LLC, et al., consisting of 71 pages, and that said 7 deposition is a true and correct transcription of my 8 testimony with changes as noted on the errata sheet. 9 10 _____ 11 12 Dated this _____ day of _____, 2018. 13 14 15 16 17 Sworn to and subscribed before me this _____ 18 19 20 _____ 21 22 23 24 25 AP

GAYLE WILLIAMS - 04/05/2018

Pages 70..71

	Page 70
1	ERRATA SHEET
2	Witness Name: Gayle Williams
3	Date of Deposition: April 5, 2018
4	Case: Kimberlee Williams, et al. Versus BASF Catalysts, LLC, et al.
5	
6	Page Line Change and Reason for Change
7	_____
8	_____
9	_____
10	_____
11	_____
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22	_____
23	_____
24	_____
25	_____

AP

	Page 71
1	C E R T I F I C A T E
2	STATE OF OHIO,)
) SS:
3	SUMMIT COUNTY.)
4	I, Anika W. Patrick, a Registered Merit Reporter,
5	Certified Realtime Reporter and Notary Public within
6	and for the State of Ohio, duly commissioned and
7	qualified, do hereby certify that the within-named
8	Witness, GAYLE WILLIAMS, was by me first duly sworn to
9	testify the truth, the whole truth and nothing but the
10	truth in the cause aforesaid; that the testimony so
11	given by her was by me reduced to Stenotypy in the
12	presence of said witness; afterwards prepared and
13	produced by means of Computer-Aided Transcription, and
14	that the foregoing is a true and correct transcription
15	of the testimony so given by her as aforesaid.
16	
17	I do further certify that this deposition was
18	taken at the time and place in the foregoing caption
19	specified, and was completed without adjournment.
20	
21	I do further certify that I am not a relative,
22	employee of or attorney for any party or counsel, or
23	otherwise financially interested in this action.
24	
25	I do further certify that I am not, nor is the
	court reporting firm with which I am affiliated, under
	a contract as defined in Civil Rule 28(D).
26	
27	IN WITNESS WHEREOF, I have hereunto set my hand
28	and affixed my seal of office at Akron, Ohio, this 6th
29	day of April, 2018.
30	
31	Anika W. Patrick, RMR, CRR & Notary Public
32	My commission expires March 13, 2020
33	
34	
35	

GAYLE WILLIAMS - 04/05/2018

i1

\$	18 63:5	26 62:18 63:2,13	62:18
\$10,000 13:3	18th 47:2	28 65:2	a.m. 68:18
\$100,000 13:11	19 37:16 47:1 54:22	29th 66:11	ability 10:20
\$7,500 52:14 57:23 58:12,15 60:12,16 63:21	1971 62:13	4 27:5,7 53:12	able 35:20 39:8,17 43:15 60:20
1	1980 63:2,12	41(A)1 46:7	above-titled 46:6
1 31:15	1990s 6:25 29:25 30:6	46197 38:3	absolutely 49:14
10:41 68:18	1994 37:17	46200 38:3	accepted 58:15
10th 62:13	1995 46:11	4th 37:17	account 15:21
11th 63:12	1997 47:2 48:14 54:3 65:2,6	5	acting 13:24
12 62:5,6,7	1998 53:20 54:3	502(d) 11:22	action 11:6 12:5,15 13:8 16:6 17:10 18:2,6,21 27:11 32:9,22 33:6 42:24 46:7 49:3 55:9,10,13,19 56:20 57:1 59:5
131 25:22	1st 21:17,18	51891 38:25	actual 34:20
133 37:14,15,16	2 42:21 62:12	56 48:6	age 22:20
134 37:14,24,25	20 21:25 22:3	7	aggregate 29:14,23 30:2,4,7,10,13
135 37:14 38:21 41:6 42:16	2000s 6:25	7,500 52:15,16	ago 6:16 18:24 23:14 24:3 61:14
136 46:1	2016 6:20,22	8	agree 41:12 60:22
137 46:15,16	2017 6:20 8:25 9:8	897 38:25	agreement 11:23 17:17
138 46:24 47:2 51:25	2018 21:20 66:11,15	9	Akrochem 28:7 52:21
139 64:23 65:14,15	21 21:22,25	9/9/1997 28:10 53:7,17	amended 20:21
141 53:23	22 21:25	A	amount 27:11
142 51:4 52:3,5	227 29:20	A-WHITE	answer 6:1 7:19 10:19 11:16,22
15 62:10,11	25 62:24		

GAYLE WILLIAMS - 04/05/2018

i2

13:6 34:18 41:22 43:25 51:1 60:7	ASSAF 5:6 11:24 28:24 29:2,3 32:11 36:2,4,8 44:7,12, 16 47:8,12,17,23 48:1 51:1,4,18,22 52:1 64:8, 20,21 65:15 68:8	basis 60:18	break 10:15 35:25 64:8
answering 44:2	assume 47:13 48:1	Bates 38:2,24 47:7,8 51:5	briefly 16:18
Answers 25:25	assumed 34:21 42:14 50:20	Bates-stamped 51:10	brother 9:18 18:20
anybody 15:20 24:21,25 29:5 30:1,7,19 32:21 33:23 58:21	assuming 32:17	bear 51:5	brother-in-law 6:17 7:3,5,22 9:21 10:7 14:14,15,16,17,18 18:12 20:5 22:23 23:1,12,17 24:4,25 25:11 29:5,9 30:14 34:1,11 42:6,8,12 48:24 56:7 65:17
anybody's 67:1	assure 51:11	beginning 19:20	bunch 52:8
anytime 31:6	attend 35:14	believe 50:15 60:15	C
anyway 47:17 57:12	attended 34:14,16	best 9:17 10:20,22 11:16	call 35:21 52:9
apart 10:15	attention 11:16 21:22 27:6 48:4 62:9	better 10:4 30:13	calls 36:19
apologize 14:12,24	attorney 33:2,5 63:6	betterment 10:21	can't 42:14 56:23
approximation 9:4	attorney-client 17:1	Bevan 7:10,11,13 8:1,2,3,7 15:14 16:1,3,8,11,13,15 17:2,9,15 18:1 19:25 24:21 25:6 27:2 30:2,14 31:1 32:13,20 33:2,5,12, 19,24 34:9,12 35:10 37:11 38:8,15 42:2,7 46:2,12 47:19,20 51:7,9 52:6,12 57:10,25 60:1,8, 9,20,24 61:5,9 63:6,9,13, 18,24 64:2 67:6	candidate 10:5
April 21:17,18 37:16	aware 32:4	Bevan's 17:18 24:14 35:9 47:13, 16 48:19 51:11 64:6 67:7	capable 65:22
area 40:7	B	BFGOODRICH 62:8,17,22,25	case 8:20 9:19 10:11,12 11:20 12:2,21,22 14:2 18:20,25 19:3 20:22 21:11,15 22:21,22 29:7 38:4,9 46:13 50:22 59:2 61:14
aren't 27:5	back 23:10 29:2,19 31:12 50:6 53:6 64:11	Bless 9:14	cases 6:5 17:16 24:21 25:1,6, 17 33:3 48:16
asbestos 19:10 33:3,13,16,20,25 36:21 39:5,13 40:14,18, 19,23 41:2 45:4,16,20 49:1,6,9,11,15,17,22,25 50:4,13,16,21,23 54:11, 19 55:5,14,23 57:3,6,11 58:2,9,22 59:3,10,14 60:1,9,22,23 61:5,11,12, 16,20 62:18,23 63:15,25 64:4	background 18:23	bottom 62:12	Catalysts' 25:25
asbestos-containing 62:25	Bad 61:2	Boyle 68:11	caused 38:9
asked 6:17 9:25 10:3 65:17,20, 25 66:2	barely 62:15		certain 39:8,10,18
asking 24:15 32:7 47:24 54:22	based 33:25 35:5 40:20,22		certified 5:4
	BASF 25:25 31:18 32:2 38:2,25		check 48:2 51:17,23,25 64:13

checked 67:1	communicating 31:6	content 62:19	Cuyahoga 46:16 47:4
Chemical 28:4 52:22	companies 23:20,22,24 24:15 28:13 33:17,20 45:15 46:21 49:1 50:10,13,21,23 52:17,18 53:8 54:11 55:15,22 57:20 58:1,17, 19,22 60:2 61:15,19	conversation 8:2 9:11 23:8,11 56:1 58:24 68:1	Cyprus 28:6 52:21
children 36:13		conversations 7:21,25 22:23,25 23:1,5 24:1 25:20 42:5	D
circumstances 28:22	company 19:8 22:16 47:4 49:5,22 50:4 59:13 60:23 62:9	copies 26:14	dad 19:20 22:16 40:4 50:20 56:8
Civil 46:7 48:7	company's 39:8,11,18	copy 16:21	dates 27:12 28:14
claim 27:13 48:9,10 49:18	compensated 17:9	Coren 8:21	day 66:11
claims 27:9 31:18 32:1,8,9 48:8	compensation 19:2 41:19,24 49:10,17	corner 52:6,8	dealings 42:9,10,11,13
clarify 34:5	complaint 20:22 21:10,15 22:12 29:19,22 37:16,19 46:16, 22	correct 32:18,22,23 33:6,13,17, 21 41:19,24,25 42:3 45:6 48:22 49:16 50:10 54:24 57:21 58:17 59:10,16,24 60:13 63:19,22,25	death 48:9
Clark 16:11 18:1 38:4 45:19 46:4,8,9 48:9	computer 67:23	correspondence 24:14	decide 60:25
class 10:17,21 11:5 12:5,9,15, 18,19 13:8,13,22,24 16:6 17:10 18:2,5,6,21 32:9, 22 33:6 49:3 55:9,10,12, 18 56:19 57:1 59:4	concluded 68:18	couldn't 18:19 24:18 26:9 40:11 64:16	decided 46:12
cleaned 40:8,10	conducted 10:25 11:20	counsel 11:17 22:24	decision 11:5
clear 32:5	confirm 64:13	County 46:17,18 47:5	defendant 12:24 27:10
client 13:3 41:14	Confirmation 63:11	couple 67:9	Defendant's 25:22 37:15 38:20 45:25 46:1,15 51:4 62:5,6 64:22
client's 41:17,23	confusing 14:23	course 13:25	defendants 28:1,3 37:17 46:20 53:18,21,22,24 54:7,20 55:6 57:6,11 58:10 59:22 60:10,17,21 61:6
co-worker 43:9	consortium 28:3 48:10 53:18 54:7 61:3 63:22	court 5:15 9:6 38:11 62:13 63:10,13	definitely 12:16
Code 62:18	contact 40:12 42:7	create 62:23	Department 63:11
come 7:16,24 42:2	contacted 20:2	cross 68:8	deposition 9:10 37:1,12,20 64:18 67:5,11 68:18
comes 7:20 51:25	contain 45:3	CROSS- EXAMINATION 5:5	described 35:2
coming 36:23 37:5 51:18,21	contains 45:3		
communicated 15:7,14,23 16:1			

GAYLE WILLIAMS - 04/05/2018

i4

didn't 7:8 16:9 26:16 52:11 57:10,17 67:18	documents 7:8 16:5,9 20:6,12 51:9 64:23 65:18 66:3 67:16, 19,20	17 34:13 48:23 50:8	Exhibit 25:22 37:15,24,25 38:21 41:6 42:16 46:1,15,24 47:2 51:4 52:5 53:23 62:5,6,7,24 63:2,13 64:23 65:14
died 50:20	doesn't 9:15 45:3 50:4	early 6:20 8:25 14:1 18:19	expect 20:12 58:14
difference 9:9	doing 20:15	Eastern 28:4 37:18 47:4 52:22	expectations 20:15
different 24:10 26:10 40:8	DOLINSKY 68:10	either 9:16 16:6 19:8 47:19 68:14	expected 38:17 58:12
discontinuing 62:17	don't 5:22 11:25 12:8 17:23,25 19:1,22,24 20:8 27:21 29:11,16 30:4,15,21,23 31:7 32:14,18,20 34:10, 21 35:16,19 36:1 40:2,20 41:1 42:12,14 44:3 45:22 47:8,12 48:1 51:16,20 53:1 55:16,20 56:14,17 57:9 58:6 60:5,8 61:12, 22 62:1 66:2,6,20,23,24, 25 67:1,3	EMTAL 28:5 38:24 41:10 42:17, 22 43:5,10,15,22 44:22 45:3 47:3 48:5,10,15 54:1 65:1,7	expert 11:9 49:20
discovered 45:11,14	drawing 35:1	ended 61:19,20	expertise 64:6
discuss 27:1 29:4 33:12 36:21 57:17	drive 35:8	Engelhard 7:1 19:6,16 22:22 23:18, 19 37:19 49:5	exposed 39:10,17 41:2,8,13,17,23 43:4,22 44:21
discussed 17:12 30:7	dropping 36:14	Engelhard's 45:21	exposure 40:2 50:21
discussion 12:20 17:15 24:4 29:1 30:4 67:25	due 50:20 62:18	entitled 12:10 25:24 49:25 61:25 63:10	extent 40:3
discussions 12:2,7,11,14 18:4,14,17 24:20,24 25:6,10 29:7 30:1	duly 5:3	Eric 68:13	extra 52:4
dismiss 46:12 47:3 48:10,15	DX 62:4	Erin 16:10	<hr/> F <hr/>
dismissal 46:2 52:17,20 53:20	dynamic 35:5	established 57:19	fact 13:14 34:11 66:6
dismissed 19:9 23:7 24:8 38:9 46:7 53:25	<hr/> E <hr/>	estate 17:20 48:8	facts 6:4 7:16,24 18:18
dismissing 38:4	e-mail 14:8 15:7,14,19,21 36:14	et al 65:3	failed 38:10
dispositions 27:10	e-mailed 26:14	events 6:25	failure 38:5
disseminate 36:10,13	e-mails 15:12	exact 55:16	fair 7:17 11:11 34:2 41:15 60:13,16,18,19
disseminated 31:10 34:7 56:15	earlier 9:8 21:6,12,13,16 26:13,	example 11:5 12:21,25	familiar 26:3 29:18
document 38:2,6,22 47:6,18 62:14 63:14 65:4		excuse 11:22	family 6:18 24:25 29:5 30:1 32:22 33:19,23 34:22 35:5 36:16,20 40:24 48:19 61:24
documentation 14:1,3		executor 16:21 31:5 56:14	
		executrix 16:22	

GAYLE WILLIAMS - 04/05/2018

i5

family's 10:14 33:2,5,13,16 39:6	28:16 30:8,16 32:3,24 33:7,14 34:3,17 35:13,15 38:12 39:19 41:3,16,21 42:4 43:23 44:15,23 48:21 49:12 50:1 54:13, 21 57:8,16 58:7,13 59:17 60:6,14 61:8 64:5 67:4	Georgia 28:3 41:9 52:22 53:25	handwritten 52:7,13
far 6:7 10:12 14:10 20:5 48:20 56:11 62:1	getting 9:19	Hanna 65:2	happen 9:15 36:15
FARRELL 64:18	gist 19:12 56:1	happened 43:24	Harwick 28:4 52:22 53:25 62:13, 15
fast-forward 55:1	give 24:18	hard 52:12	haven't 45:7
father 19:6 31:2 39:10,22 41:2, 8,12 43:21 44:21 48:15 54:4	given 26:14 45:15	Harry 8:6 67:14,15	he's 20:7,8 56:8,11,14
father's 16:7 23:18 27:19 38:9 46:12	giving 9:3 54:8	head 22:8 46:23	hear 13:4,14 35:12 38:14,18 43:20 44:25 54:17
favor 48:6	go 11:18 27:4 28:24 29:2 30:23 35:10 52:18 55:1 64:11	heard 7:2,4 19:25 29:13,14 39:1,11 48:23	hearing 44:20 46:11 48:14
file 47:16	goes 16:23 53:2 62:22	heart 27:21	help 11:17
filed 46:2,16,17 47:4	going 5:21 18:23 25:21 30:11 32:15 36:18 45:25 56:18 57:5 64:12	here's 53:23	hereinafter 5:3
files 47:13 51:7,12 66:22	good 5:7,8 27:22 37:7 68:9	highlighted 62:14	highly 51:7
fill 64:23	gosh 40:5	Hold 32:16	Holley 64:18
find 19:11 35:20 61:18	gotten 21:8		
finished 5:14	gray 40:7		
firm 17:2,18	grounds 48:7		
first 5:3 7:11 8:19,22,24 19:20,21 21:7,10,15 23:8 25:25 26:11 31:15 48:4 64:19,20	group 59:23 60:11		
follow 64:12	guess 11:15 12:20 40:7 51:8		
follows 5:4	guessing 16:4		
forgetting 56:6			
form 7:18 9:20 13:5,16 16:14 17:5 20:14 23:2 25:13,18	hand 63:12		
	handled 16:7		

GAYLE WILLIAMS - 04/05/2018

i6

home 14:7,10 26:23	51:14 56:15	it's 9:9,21 14:12 25:24 26:18 30:25 38:3,22 40:3 47:13,17,18,23,24 48:1 51:6,7 52:12,20 63:6,10	kept 20:8
honestly 10:20 20:15 26:9	62:16	its 48:5 49:6,22 59:14 60:24 63:1	kids 34:8 56:18
hours 67:9	informs 63:9	J	kind 18:22 36:17 40:7
I	injury 49:25	J&j 52:24 54:1	knew 19:7,22,23 23:21 30:12 31:8 36:22 40:3 45:13 57:10 58:1,6 60:1,8,9,21 61:5,9 63:24 64:3
I'D 26:1 27:6 47:5 62:9	input 10:24 11:7	Jan 62:16	know 7:10 9:23 11:10,11,19,25 12:1,8,10,16 15:16,23 16:1,3,5,7,10,21 17:14, 25 19:22,24 20:6,8 22:12,15,16,17,19,20,22 23:24 24:11 27:21 29:12 30:15,21,24 31:5,6,8 32:14 33:25 34:8,10,21, 22 35:1,5,16,19 39:22 40:1,2,3,8,10,14 42:7,12, 14 44:3 45:12,18,21,22 47:12 48:1,20 50:7 51:16,20 52:12 55:20 56:14,17 57:9 58:6,14,15 59:13 60:5,8 61:12,22 62:1 63:18 65:25 66:2,4, 6,8,10,16,20,21,23,24,25 67:1,3,21
I'LL 5:22 51:16 63:10,12	installed 5:13	January 66:11,15	knowing 23:23 60:18
I'M 5:21 10:5 11:3,8 12:14, 15,17 14:23 25:21 26:19 27:17 30:11,23 31:6,13, 22 32:14,17 36:3 40:7 44:9,10 45:25 47:13,18, 24 49:20 51:5 60:20 61:1 62:11 64:12,25 65:22 68:9	insufficient 48:11,16	Jared 8:6 67:13	knowledge 6:24 7:15 11:10 22:11,14 23:16 31:17 32:1,19,20 35:2
I'VE 7:2,20 11:14 14:1,22 17:15 21:8 26:10 34:24 42:6	intentions 57:9	Jerry 26:18,19	known 30:20 57:2
idea 11:13 17:11 20:2	interesting 36:8	John 68:11	knows 30:19
identification 38:24 39:1,7,15 42:18 43:15 65:8	internal 51:12	Johnson 28:6	L
identified 42:22	international 28:5 52:23 54:1	Judge 38:4 65:2	lack 38:23 48:11,17
identify 27:9 31:17 39:8	interrogatories 26:1,10,17 31:12 36:5 53:5,11,15 66:14	judgment 38:23 42:17 45:1 47:3 48:5 62:8 64:14,25 65:1	lap 53:9
includes 33:16 63:13	interrogatory 26:5 27:2,5,7 31:15 32:7 53:12	June 47:2 63:12	late 6:20,22
including 28:3 37:18,19 46:21	introduce 16:17	jurisdiction 48:12,17	
indicated 62:19	introduced 8:7	K	
indication 63:15	invited 35:17	Karen 10:1,7,8 14:21 15:4,5	
Industrial 28:6 52:21	involved 5:9,16 6:5 9:19 19:15 20:7 24:1 25:19 32:12,21 33:9 39:6,9	Kathy 15:3	
information 31:10 34:7 36:11 45:15	involvement 33:24 39:13 40:20,22	keep 15:12 20:6,12 36:18 56:6	
	issue 39:15	keeps 66:22	
	issues 65:9		

GAYLE WILLIAMS - 04/05/2018

i7

law 17:18	litigation's 10:25	matter 59:13 61:6,9	58:12,14 61:25 62:2
lawsuit 5:9 6:3 7:15,16 13:23 16:6,7 17:10 18:18 19:6, 16 23:6,18 37:4 46:17,20 49:10	litigations 27:19	matters 17:3 20:7	moot 64:25 65:2
lawsuits 5:17 16:24 20:13 23:21, 23 24:7 25:11	little 18:23	mean 11:12 16:9 19:17 25:19 27:21 31:1 35:16,17 40:2,4,8 50:3 61:20	morning 5:7,8
lawyer 8:20 12:12 42:3	lobby 16:17	mediation 11:19,25 29:6,10	mother 45:19 54:5
lawyers 8:14 11:8 15:8,24 52:11	long 30:23 67:8	meet 8:6	mother's 48:16
learn 55:8	longer 6:12	meeting 8:6 16:13,15 31:7 34:9, 21 35:10,14,17,19 36:17, 20	motion 38:23 42:16 43:24 44:4 45:1 47:2 63:14 64:14,24 65:1,7,8
learned 18:25 19:13 20:3 22:15	look 26:2,16 45:2,8 47:5	meetings 6:7 22:13 30:19 31:1,8 32:12,21 33:10,12 34:11, 16,19 35:22 56:16,17	Motions 62:7
left-hand 52:6	looked 21:8	memorandum 38:22	Move 13:21
legible 62:15	luck 37:7	memory 28:21	moved 48:15
let's 10:15 21:6 27:4 28:24 32:16,18 50:6 55:1 57:23 64:8	M	mentioned 15:6 29:10 48:23	moves 48:5
limitations 48:8,17 65:9	mad 26:18	mesothelioma 22:17	multiple-page 38:21
lining 40:10	Magnesia 28:4 37:18 47:4 52:23	met 7:11,13 8:3,8,9,14 16:3, 12 34:24 66:4,6	N
linings 40:11	mail 36:13	mid-1990s 43:20 44:20	name 15:3 31:23
list 27:18 38:5 63:2	maintenance 40:4	middle 27:25	named 8:21 16:10 27:10
listed 31:25 53:17	man 22:20 56:10	Milwhite 28:7 52:22	Nancy 9:23,24 10:1 14:19,25 15:5,16,17 18:5,7,21 21:25 25:24 30:18,20 31:5,7 34:9,19 35:4 45:13,19 52:13 56:14 57:25 65:2
listen 11:7,16	mark 9:3	Mineral 28:7	Nancy's 18:15
listing 27:15	marked 25:21 37:14 38:20 47:16 59:20 62:3,4,5 64:17,22	minute 47:5	need 12:16 18:14
litigation 7:1 16:24 17:3 20:7 22:14 33:13,16,17,20 36:21 39:5,14 40:23 51:13 56:13 65:19 66:22	married 14:18	moment 26:2	never 5:14 7:13 8:2,8 11:14 17:15 29:10 34:24 40:4 41:17,23 42:6 48:19 58:24
	materials 36:14 63:11	money 12:25 13:10 24:9 25:3,9 49:25 50:3 55:20,21 57:2	

GAYLE WILLIAMS - 04/05/2018

i8

new 19:11 46:16 62:19	68:6	21:22 26:20 27:25 42:21 48:4 52:20 53:2 62:10,11 63:5	persons 31:17
Norma 46:9	Ohio 46:17,18 48:6	pages 27:5	phone 8:17 14:8 16:4 20:18 36:19
note 62:15 64:13	okay 5:16,19,21,25 6:1,10,22 7:4,7,12,15,23,25 8:3,14, 17,19 9:1,5,21,23 10:16 11:19 12:9 13:19 14:7,9, 12 15:5,12,16,23 16:5, 10,13,19 17:1,8,17,20,22 18:4,8,14 19:2,24 20:9, 17,20 21:5,7,10 22:9,22, 25 23:5,11,20,23 24:2,13 26:3,4,15,24 27:1,4,8,9, 23 29:17,21,22,25 30:6, 22,25 31:4,16 32:6 34:6, 19 35:25 36:8 37:24 39:13,25 40:14 41:6 42:1,16 44:1 45:12,23,25 46:19,24 48:4,19,23 49:4,8,21 50:15,24 51:22 52:2,5,19 53:13,20 54:2, 9,17 55:1,2,8,12 56:22, 25 57:24,25 58:3,16,18 59:1,12,25 60:9,20 61:13 62:12 65:12,16,21,25 66:21 67:10,20,25 68:2	paid 5:13	place 12:11 18:15 43:15
notice 46:1,6	paperwork 16:20	Placitella 8:9,21 51:15,16,20,24 52:2 64:15 65:13,16	
November 9:25	paragraph 22:3 29:20	plaintiff 25:24 39:9,16 42:23 43:3 49:24	
number 27:7 37:17 46:21 47:7,8 50:10 52:17 53:12,21 57:20 62:12	paragraphs 21:25 22:5	Plaintiffs 43:16 46:8 47:11 62:12, 14	
numbered 27:6	parents 6:6 16:22,23	Plaintiffs' 8:14,20 43:11,14 62:7	
numbers 38:2,25 51:5,10	part 63:21	plant 40:13	
O			
Object 30:16 50:18 57:13 58:5	passed 9:24 14:19 22:19	Please 44:17 46:6	
objection 7:18 9:20 11:21 12:4 13:5,16 16:14 17:5 20:14 23:2 25:13,18 28:15 30:8 32:3,24 33:7,14 34:3,17 35:11,13,15 38:12 39:19 41:3,16,21 42:4 43:23 44:14,23 48:21 49:12 50:1 54:13,21 57:8,16 58:7,13 59:15,17 60:6,14 61:8 64:5 67:4	pay 11:16 13:1 41:15	point 6:12,18 9:24 19:19 20:9, 10 34:14 35:3 44:10 54:3 56:12 66:21	
occur 67:6,8	Pease 14:25 15:17 18:5 22:1 29:9 31:23,24,25 32:19 33:9 34:2 36:10,25 45:18,19 48:24 49:2 52:13 57:25 65:3,17 66:5,7	pool 5:13	
October 26:12	Pease's 25:24	portion 29:22	
offer 13:4	people 20:18	posted 36:18	
offered 12:6	period 43:17 58:25	prejudice 52:21	
office 24:14 35:9 67:6,7	person 6:12,18 8:11,15 9:24 19:19 20:9,10 34:14 35:3 56:12 66:21	preparation 37:1,2,20 67:5	
oh 12:6 26:9 32:10 40:5 53:3 61:13 62:4 66:13	personal 6:24 10:22 12:22 22:11 48:11,17	prepare 13:23	
P			
	personnel 62:15	present 43:10	
	page	pretty 22:19 37:9	
		previous 45:10 46:17	
		previously	

GAYLE WILLIAMS - 04/05/2018

i9

62:4,5 64:17	Q	28:12 46:11 48:14	repeat 44:6,14
price 5:14	question 5:24 9:2 43:25 44:2,6,11 51:2 61:2 65:13 66:17	recommended 63:18	reporter 9:6
printed 14:10	questions 5:21 10:19 68:10,11,14	recommending 60:11 64:3	represent 10:20
prior 6:22 23:6,11 24:3 51:2	quick 65:13	record 28:24 29:1,2 47:17 64:11	representative 10:18 12:9 13:13,22,24 18:6 43:3
privilege 11:21 30:9		redacted 51:8,14	representatives 12:18
probably 23:9 34:1		redactions 52:9	represented 33:19
problem 62:20 64:2	R.T. 28:5 52:24 54:1	refer 14:21 62:12	representing 12:18,19
procedural 65:9	raw 41:2 63:10	reference 27:25	requirements 38:10
Procedure 48:7	read 6:11,13 14:1 22:5 29:22 45:7 52:12 56:23	referred 14:22 28:5	resolution 33:24
proceed 11:10	reading 7:16,20	refresh 28:12	resolutions 27:9
process 40:10	real 9:10	regarding 6:25 9:18 14:2 17:9 18:5, 14 19:16 23:17 24:21 25:1,6,11 26:20 27:4 28:18,21,22 29:23 30:2 32:13,22	resolved 24:7
produced 47:10,18,25 48:2 51:6,9	really 16:15 35:16 56:17	related 16:6 20:6,13 65:18	respect 18:1 46:8 58:19 61:2
product 38:23 39:1,7,9,15,18 42:17 43:14 60:2 65:8	reason 55:3,10,12 56:19 60:15	relates 39:7	responses 26:5 27:2 62:7
products 55:15	reasonable 11:12,14 64:7	relating 31:18	rest 34:8
Project 51:13	reasons 59:2	relationship 17:2 56:10	retainer 17:17
provide 38:5,10	recall 29:16 30:4 44:20 64:16	release 53:23	review 21:5
proximity 43:16	recalled 56:12	relevant 43:17	reviewed 21:1,2,6,7,10,15
public 47:17,18	receive 24:10 41:19	rely 11:9,17 64:6	right 7:6 10:2 13:2,18 15:1 17:24 18:11 19:24 20:4 22:18 24:19 27:18 29:19 34:23,25 35:3 38:1 39:18 40:6,15 41:5 42:11 44:5 45:8 55:25 57:22 65:23 68:2
pull 53:6	received 24:9,12 52:5	relying 11:8	right-hand 52:7
purchase 62:17	receiving 25:3,9	remember 5:18 19:1 29:11 55:16,18	
pursuant 46:7 48:6	recess 64:10	remove 62:25	
put 12:25 13:10,14 53:22	recollection		

GAYLE WILLIAMS - 04/05/2018

110

role 10:10,14,17 11:4,7,15 12:10	second 20:21 28:25 64:19	16:16 36:7	sit 22:9 25:16
room 34:20	second-to-last 52:20	Sheet 63:11	site 42:23
Roth 7:18 8:9,20 9:2,6,9,15,20 11:21 12:4 13:5,16,21 16:14 17:5 20:1,14,18,20 23:2 25:13,18 26:18 27:24 28:15 30:8,16 32:3,5,7,14,24 33:7,14 34:3,17 35:11,13,15 36:1,3,6,9 38:12 39:19 41:3,16,21 42:4 43:23 44:1,3,6,7,9,13,14,18,23 47:7,10,15,20,24 48:3,21 49:12 50:1,18 51:2,3 53:2,10 54:13,21 57:8, 13,16 58:5,7,13 59:15,17 60:6,14 61:1,8,11 64:5, 11,16,19 66:17 67:4 68:9	see 7:8 16:9 21:6 22:1 26:2,8 27:15 28:8 31:20 42:18, 21 43:1,7,11,17 46:9 48:12 52:14,15,16,25 53:14 56:23 62:20,24 63:2,7,16 65:3	short-circuit 22:10	sites 43:11
	seen 20:24,25 26:5,10,16 37:19 38:6 46:22	shouldn't 41:14,19	somebody 13:10 18:15 20:3 30:12, 15 31:25 44:4 59:9
	sent 14:2	show 20:21 25:21 37:14,24 38:20 39:17 43:21 44:21 45:25 46:15,24 50:24 59:19 60:20 62:3 63:10 64:22 67:18	sorry 9:22 11:3 21:13 26:17,19 27:17 28:15 30:23 31:13, 22 37:25 53:1,3 54:15 56:4,5,23,25 61:1 64:25 67:15
	September 62:13 65:2	showed 55:22	sorts 32:12
	service 48:11,16	showing 48:25 53:7 63:14	sounds 29:18
	Set 25:25	shown 67:16,22	source 23:16 43:20
	settle 11:2,5 57:2,5,12 60:25	sick 19:21	Southern 28:7 41:9,13 52:24 54:2 63:1,15,19,21,24
	settled 19:8 23:7 24:8,22 25:1,7, 12,17 27:13 50:22 54:7, 18 55:4,14,20,21 59:2 61:14,15 63:19	side 22:8 46:23 49:21	specialist 11:8
	settlement 11:11 12:1,6,7,11,14,17, 20 24:12 25:5 27:11,12 28:13,14,18 29:7 36:23 53:7,17 57:20 59:21 60:12,13,16 61:3 63:22 64:3	signature 68:16	specific 42:23 43:11
	settlements 20:13 24:10,16 25:10,20 27:15,19 28:19,22 29:15, 23 30:3,5,7,10,13 50:7	signed 17:17 26:22 53:6,15,23 54:23 64:24 66:11	specifically 23:19 40:11
	settling 54:10	significant 39:15 49:2,11	specification 62:23
	seven 56:7 62:24	similarly 13:8	spoke 7:13
	shaking 22:8 46:23	sister 6:11,17 7:2,5 9:21,23 10:1 14:15,19,21,22,25 15:16 18:5,20 19:19 23:17 29:9 31:3 35:8 42:8 53:24 54:4,18 55:4 56:2 57:1,25 58:15 66:16	spokespersons 18:22
	she's	sister's 15:3 42:11	stamp 47:21,22
S		sister-in-law 9:18 31:2	started 13:25 19:21 53:5
sat 34:11,20		sisters 14:23	states 62:16
saw 26:9			statute 48:7,16 65:8
saying 36:3 47:23 49:14			Step
says 27:9 28:10 31:17 42:21 43:3,9 46:6 48:5 52:13			
Scotland 62:16			
screen 67:23			

GAYLE WILLIAMS - 04/05/2018

111

50:6	T	55:13 56:22,25 57:10 58:21	time 6:14 7:11 8:19,22 21:7, 10,15 25:1 26:11 43:17 45:8 55:3,13 57:1 59:21 68:2
Strategic 11:1	table 12:25 13:10,15	tells 61:13	times 26:11 36:16
strike 13:21 27:18	take 6:18 10:3,9,21 18:15 26:2 32:16,18 45:8 46:6 47:5 49:21 50:6 60:11 64:8	term 29:14 30:10 39:1	Tire 51:12
stuff 16:22	taken 5:15 35:18 64:10	terms 11:4 67:5	today 6:3 22:9 25:16 30:6
submitted 63:5,6	talk 19:10,16 23:6,20,21,24 24:6,15 25:5,9,17 28:1,3, 4,5,7,13,18,22 33:17,20, 25 37:18 39:11,23,25 40:2,5,9,12,19,21 41:7,9, 10,13,14,17,23 42:22 43:5,10,16,22 44:22 45:3,16,21 46:21 47:4 48:25 49:1,6,9,11,14,22 50:5,7,10,13,16,23 51:12 52:7,18,22,23,24 53:8, 24,25 54:1,2,7,11,19 55:5,6,15,22 57:3,7,11, 20 58:1,2,10,17,19,21,23 59:10,14,21,22 60:2,10, 16,21,22,24 61:3,6,10, 11,12,16,19 62:18,23 63:1,15,19,21,24 64:4	testified 5:4,19 43:4,10 59:12	today's 37:11,20
subsequently 55:23	talk 21:25 30:12,14 33:9 36:25 37:4,10,11 66:14	testify 44:7,9	told 19:7,12 34:10 37:5 45:13,20,24 48:19 49:5 54:18,22 55:3,4,9,18 56:18,19 59:1,2,7,9
subsidiary 37:18	talked 8:17,19,22 10:7 16:18 31:8 37:2,5 49:2 50:8 66:8,10	thank 25:23 46:25 48:3 51:3 64:9 68:6	Tom 46:2 51:7 63:6
substance 54:10,19	talking 6:15 7:21	Thanks 65:16 68:2	top 42:21 52:13
suit 12:16 19:12 45:14 55:9, 11	tank 40:10,11	Thanksgiving 6:16 8:23	transcript 9:10
suits 24:10 33:25	Technical 63:11	there's 12:13,19 14:23 27:15,24, 25 49:9 52:16 53:20	trial 11:1
summary 38:23 42:16 45:1 47:3 48:5 62:8 64:14,24 65:1	television 67:22	they're 26:3	True 57:7 58:4 60:2
Summit 46:18	tell 5:12,22 8:5 9:17 18:2,19, 20,25 19:2,5,13 24:18 26:9 40:11 42:14 54:9	they've 66:6,8	trust 42:2,6,8
Supplemental 25:25		thing 12:12 19:7 50:24	try 5:23
supplier 63:1		things 6:13 7:16,20 11:2 15:6 19:21 21:8 22:10,20 40:8	trying 44:7,9,10
support 38:22		think 6:16 8:24 10:5,17 11:4,7 12:13,17 13:3,13,17,18 17:21 26:11 31:22 32:11 35:2 36:1,4 40:20 49:20, 24 51:1,18 52:11 53:4 56:11 59:12 60:12 61:24 66:16	Tunis 68:13
supposed 43:14		thinking 12:15 40:18	turn 21:22 27:6 31:12 62:9 63:5,9
sure 5:23 11:4,24 12:14 33:2 39:4,22 42:15 47:12,14, 18 51:6,24		thinks 10:8	Turning 48:4
surprise 57:15,17		thought 34:13 62:1	Twelve 64:15
surprised 61:16,23			twice 14:22 36:17
swimming 5:13			
sworn 5:3			

GAYLE WILLIAMS - 04/05/2018

112

TWLP2 52:8	versus 32:8 65:3	William 38:4 45:19 46:4,8 48:9	Y
two 14:23 23:4,9	Victor 38:4	Williams 5:2,7 21:23 26:3 29:4 33:6 38:3,25	yeah 6:8 12:24 15:21 19:18 35:23,24 36:9 37:22 39:3 43:13 44:14 50:24 61:12, 21,22 64:16 67:15 68:5
U	view 12:9	Williams' 32:9	year 6:16 7:17 8:24 23:4,9,14 24:3 26:12 36:17
uh-huh 6:23 9:12 12:23 13:9,12 15:18 20:11,19,23 21:14, 24 22:4 23:13,15 24:5 25:4 26:4,21 27:14,17 28:2,9,20 31:19,21,24 33:11 35:7 36:12 40:25 42:20,25 43:2,6,8 46:3,5, 10 52:10,15 53:19 54:6 58:11,20 59:6,8 61:4 63:17,20	voluntary 52:16	willing 10:8	years 18:24 27:20 39:14 40:23 42:1 56:8 61:14 62:24
unable 43:21 44:21		withdrawn 7:9 15:5 24:2 29:13 32:19 37:10 40:21 41:6 47:1 59:3,20 60:15 61:2 64:25 65:1,7,10	Yep 43:19 52:16
underlying 6:5 18:17 19:15 27:11 32:1,8 65:19	wait 35:9	witness 9:5,12,14 20:19 22:8 26:19 32:6,10 38:5 43:9 44:5 46:23 53:3,9 54:15 64:9 66:19 67:18 68:16	yesterday 7:11 8:3 16:12 67:5,21
understand 5:22,23 9:3 33:8 39:14 54:8 55:12	waived 68:16	witnesses 22:13 43:15	you'd 45:9
understanding 6:4 10:10,24 17:8 24:2,6 25:17 38:8 39:7 41:1,8 49:8 50:12 53:4 54:3 65:6	wanted 10:3 16:20,21 30:12 57:2,12	woman 16:10	you're 6:3 9:3 18:6 49:14,24 68:7
unfairness 44:10	wasn't 16:15 25:19	words 6:5 39:10,16 54:9,18 55:16,17	you've 7:4 9:7 15:7 22:15 42:5
update 36:18	way 14:12 30:23 32:16,18 50:6 66:24,25	work 39:25 42:23 43:11	young 22:19
upper 52:6,7	we'll 48:2 58:9 64:12	worked 22:16 39:22 40:1,4,5,14 43:4	
use 55:17	We're 68:3	Workers 51:12	
V	we've 57:19 61:14	working 42:1	
Vanderbilt 28:6 41:10 52:24 54:1	week 21:6,11,12,13,16 22:15 26:13 36:25 37:2	works 16:11	
various 46:20	welcome 68:7	wouldn't 49:20 58:14	
verification 26:20 66:12	went 10:6 34:19	written 62:15	
	weren't 7:9	wrong 34:23 36:7 51:15	
	what's 10:22,24 25:21 31:22 36:18 37:14 38:20 56:18 59:19 62:3 64:6,22	wrongful 48:9	
	White 63:1		